

**HOUSE JOURNAL  
64TH LEGISLATURE  
FIRST LEGISLATIVE DAY**

Helena, Montana  
January 5, 2015

House Chambers  
State Capitol

Pursuant to the Constitution of the State of Montana, at the hour of 12:00 noon, the House of Representatives of the 64th Legislature of the State of Montana was called to order by the Honorable Linda McCulloch, Secretary of State of the State of Montana.

The National Guard Color Guard posted the colors. Secretary McCulloch led the Pledge of Allegiance to the Flag and the National Anthem was sung by the Fourte' A Cappella Quartet. Invocation was given by Pastor Paul Feuerstein.

Secretary McCulloch thanked Pastor Paul Feuerstein, the National Guard Color Guard and the Fourte' A Cappella Quartet.

Chief Clerk Lindsey Grovom called the roll of members of the House of Representatives of the 64th Legislature.

District 01 Jerry Bennett  
District 02 Mike Cuffe  
District 03 Zac Perry  
District 04 Keith Regier  
District 05 Ed Lieser  
District 06 Carl Glimm  
District 07 Frank Garner  
District 08 Steve Lavin  
District 09 Randy Brodehl  
District 10 Mark Noland  
District 11 Albert Olszewski  
District 12 Greg Hertz  
District 13 Bob Brown  
District 14 Nick Schwaderer  
District 15 George Kipp III  
District 16 Susan Webber  
District 17 Christy Clark  
District 18 Rob Cook  
District 19 Randy Pinocci  
District 20 Steve Fitzpatrick  
District 21 Tom Jacobson  
District 22 Robert Mehlhoff  
District 23 Wendy McKamey  
District 24 Jean Price  
District 25 Casey Schreiner  
District 26 Mitch Tropila  
District 27 Roy Hollandsworth

HOUSE JOURNAL  
FIRST LEGISLATIVE DAY - JANUARY 5, 2015

District 28 Stephanie Hess  
District 29 Bill Harris  
District 30 Ryan Osmundson  
District 31 Bridget Smith  
District 32 Gilbert Bruce Meyers  
District 33 Mike Lang  
District 34 Austin Knudsen  
District 35 Scott Staffanson  
District 36 Alan Doane  
District 37 Lee Randall  
District 38 Kenneth Holmlund  
District 39 Geraldine Custer  
District 40 Tom Berry  
District 41 Patricia Rae Peppers  
District 42 Carolyn Pease-Lopez  
District 43 Clayton Fiscus  
District 44 Dale Mortensen  
District 45 Daniel Zolnikov  
District 46 Donald Jones  
District 47 Katharin Kelker  
District 48 Jessica Karjala  
District 49 Kelly McCarthy  
District 50 Virginia Court  
District 51 Margie MacDonald  
District 52 Dave Hagstrom  
District 53 Sarah Laszloffy  
District 54 Jeff Essmann  
District 55 Vince Ricci  
District 56 Tom Richmond  
District 57 Forrest Mandeville  
District 58 Seth Berglee  
District 59 Alan Redfield  
District 60 Debra Lamm  
District 61 Kathleen Williams  
District 62 Tom Woods  
District 63 Zach Brown  
District 64 Kerry White  
District 65 Christopher Pope  
District 66 Denise Hayman  
District 67 Tom Burnett  
District 68 Art Wittich  
District 69 Matthew Monforton  
District 70 Kelly Flynn  
District 71 Ray Shaw  
District 72 Jeff Welborn  
District 73 Edie McClafferty

HOUSE JOURNAL  
FIRST LEGISLATIVE DAY - JANUARY 5, 2015

District 74 Pat Noonan  
District 75 Kirk Wagoner  
District 76 Ryan Lynch  
District 77 Kathy Swanson  
District 78 Gordon Pierson Jr  
District 79 Jenny Eck  
District 80 Mike Miller  
District 81 Janet Ellis  
District 82 Moffie Funk  
District 83 Chuck Hunter  
District 84 Mary Ann Dunwell  
District 85 Theresa Manzella  
District 86 Ron Ehli  
District 87 Nancy Ballance  
District 88 Edward Greef  
District 89 Nate McConnell  
District 90 Ellie Hill  
District 91 Bryce Bennett  
District 92 David "Doc" Moore  
District 93 Dan Salomon  
District 94 Kimberly Dudik  
District 95 Nancy Wilson  
District 96 Andrew Person  
District 97 Brad Tschida  
District 98 Willis Curdy  
District 99 Tom Steenberg  
District 100 Andrea Olsen

Roll Call. All members present. Quorum present.

Linda McCulloch, Secretary of State of the State of Montana, extended greetings to the members on behalf of the State of Montana and then delivered the following speech:

Good morning and welcome to Day One of Montana's 64th Legislative Session.

Welcome to Helena and if it is your first Session as a Legislator, welcome to the "People's House."

Twenty years ago in the 54th Legislative Session, I sat in your seat Rep. Court, and then in later sessions, your seat, Rep. Curdy.

During my time in the Legislature , I served with:

Former Lieutenant Governor John Bohlinger  
(Seat: Rep. Greef)

HOUSE JOURNAL  
FIRST LEGISLATIVE DAY - JANUARY 5, 2015

Former Lieutenant Governor Karl Ohs  
(Seats: Rep. Regier)

Board of Investments Executive Director of the Board of Investments David Ewer  
(Seat: Rep. Perry)

Chairman of the Board of Investments Mark Noenning  
(Seat: Rep. Shaw)

And every session I have been associated with the Legislature, Marilyn Miller has been either the Chief Clerk of the House or the Secretary of the Senate. I will really miss her.

It's with sadness that I open the 64th Session of the Legislature. This will be my last session. When I finish this term as your Secretary of State I will have been elected for 22 years. That's 11 Legislative Sessions and 7 campaigns! I will miss opening the House Session, just as I missed giving the State of the Education Address each session.

It seems to me a good time to start to get to know your fellow Legislators and start to build your own stories and fond memories of your Legislative experience.

Let's take a minute and start to build some collegial relationships:

How many of you are first time Legislators, House or Senate? (raise your hands, keep them raised and look around at your colleagues)

How many of you are serving in the Legislature after a pause of two or more years?

Raise your hand if you have had family members serve in the Legislature?  
\*\*\*Anybody have a family member right now serving in either the House or the Senate?

Did any of you serve as a page in your earlier years?

Did any of you visit this Capitol back in the day as a student on a field trip?

How many of you drove more than 250 miles to get here to Helena for today?

How many of you have served as an elected official in another capacity other than the Legislature (i.e. school board, mayor, county commissioner, etc.)?

I remember the opening of my first Legislative Session. I walked into this chamber wondering what would be accomplished. Would my bills pass? What would be the final outcome of the Session?

Folks in this chamber and around Montana are wondering what will be the outcome of the 64th Legislative Session. What will this Legislature be known for? History does keep track of each

HOUSE JOURNAL  
FIRST LEGISLATIVE DAY - JANUARY 5, 2015

Legislative Session, some more prominently than others.

Will this chamber be known for compromising, or for bickering?

Will party-line votes outweigh bipartisan support?

And will you and your constituents be proud of the work that's accomplished?

Now more than ever, thanks to social media, constituents are even more in tune with each and every action Elected Officials make.

One of the early lessons I learned in public service as a young teacher is "Just because you have the right to do something, doesn't mean it's the right thing to do."

Just because one party has the votes to outweigh another party, doesn't mean they should abuse their authority;

Just because another party has the power of the veto, doesn't mean they should rely on it; and

Just because you have all been elected to serve your constituents, doesn't mean you should forget your neighbors.

I think this is such an important message that many years ago I typed it on construction paper, using my Apple IIE computer. I hung on a wall in my classroom, I brought it with me to each Legislative Session, it hung in my office at OPI and now you will find it in my office downstairs at the Secretary of State's Office. It's just that important of a message.

Just because you have the right to do something, doesn't mean it's the right thing to do.

What matters most in the next 90 days, is that each of you has the power to do good work for the people of Montana. No one back home sends you here for negative reasons. Regardless, of whether they voted for you or not, they want you to do good for the people of Montana...all the people of Montana.

My first session in the House looked a lot like this one. Republicans held a majority over Democrats: 67 to 33.

Your demographics are similar this Session with 59 Republicans and 41 Democrats. In that 1995 Session the Governor was a Republican. He is a Democrat this year.

Despite a 2 to 1 stronghold, both parties worked well together. Many of us - on both sides of the aisle - were able to pass our bills with strong support. During my 6 years in the Legislature, all but one of my bills passed. A Democrat in a Republican legislature... go figure.

HOUSE JOURNAL  
FIRST LEGISLATIVE DAY - JANUARY 5, 2015

Sure, we disagreed. But we respected each other and considered all opinions before making a decision.

Compromise happened then, it's happened since then, and you all have the power to ensure it happens in the next 90 days.

You are in this room because your constituents believe in your ability to reason, to work through disagreements, and to approach policy making in a civil manner.

They want you to not only stand firm in your beliefs, but also to remember that you work for them - THEIR beliefs matter most.

Let's start this session on more than just a promise to work together. Let's start on the other side of the aisle...Literally!

Please stand up.

Now I want you to walk across the aisle - and introduce yourself to someone from a different party. Preferably someone whom you do not know.

I want you to introduce yourself, shake hands or hug three people not from your own party. You absolutely cannot come back to your own seat until you have met at least three Legislators NOT from your own party. Now get busy!

At the end of the day, it's not about Democrat ideas or Republican ideas. It's about ideas that help Montanans.

It's about Supporting the good ideas, the fair ideas.

Remember the issues.

Remember the people you work for.

Remember: Just because you have the right to do something, doesn't mean it's the right thing to do.

And remember that you're on TV! Montanans are watching, and they are taking their opinions to social media.

Please join me in waving to the Montana school kids all over the state who are watching this ceremony today!

What will the 64th Montana Legislature be known for?

The 100 of you sitting in this historic chamber in the seats of past Legislators will decide.

HOUSE JOURNAL  
FIRST LEGISLATIVE DAY - JANUARY 5, 2015

The people of Montana await your decisions.

Secretary of State McCulloch introduced the Honorable Mike McGrath, Chief Justice of the Montana Supreme Court. Representative Hill and Representative Monforton escorted Chief Justice McGrath into the chamber.

Chief Justice McGrath administered the following oath of office:

"I do solemnly swear that I will support, protect and defend the Constitution of the United States and the Constitution of the State of Montana, and that I will discharge the duties of my office as a Montana State Representative with fidelity so help me God."

Secretary of State McCulloch thanked Chief Justice McGrath, and asked the members of the House of Representatives to sign their copies of the oath of office. These will be presented to Chief Justice McGrath for his acknowledgment and then filed in the Secretary of States Office.

Secretary of State McCulloch called for nominations for the office of the Speaker of the House. Representative Regier nominated Representative Knudsen. Representative Hunter moved that the nominations be closed. Motion carried.

Secretary of State McCulloch declared that Representative Knudsen has been duly elected Speaker of the House of Representatives for the 64th Legislature. Representatives Ballance and Person escorted Speaker Knudsen to the rostrum.

Speaker Knudsen thanked Secretary McCulloch, Chief Justice McGrath, and Pastor Feuerstein on behalf of the House. Representatives Berglee and McClafferty escorted Secretary of State McCulloch and Chief Justice McGrath from the House Chambers.

Speaker Knudsen addressed the House.

Majority Leader Regier moved the following individuals be nominated as officers of the House of Representatives:

Chief Clerk	Lindsey Grovom
Sergeant-at-Arms	Dennis Lenz

The House Officers were appointed by unanimous consent.

Majority Leader Regier moved that Representative Randall be nominated as Speaker Pro Tempore of the House of Representatives. Representative Randall was unanimously elected.

Chief Clerk Grovom read the following announcements from the Caucus:

"This is to advise you that the caucuses have elected the following officials:

House Majority Leader - Representative Keith Regier

HOUSE JOURNAL  
FIRST LEGISLATIVE DAY - JANUARY 5, 2015

House Minority Leader - Representative Chuck Hunter  
House Majority Whips - Representative Jerry Bennett, Representative Alan Doane,  
Representative Greg Hertz, Representative Sarah Laszloffy  
House Minority Whips - Representative Bryce Bennett, Representative Margie MacDonald,  
Representative Jenny Eck  
House Minority Caucus Chair - Representative Carolyn Pease-Lopez"

House Majority Leader Regier addressed the House.

House Minority Leader Hunter addressed the House.

**MOTIONS**

House Majority Leader Regier moved that the 2013 House rules be adopted as the temporary House operating rules of the 64th Legislature. Motion carried.

House Majority Leader Regier moved that the Joint rules contained in Senate Joint Resolution No. 1 be adopted as the temporary joint operating rules of the 64th Legislature. Motion carried.

Majority Leader Regier moved that the Speaker appoint a committee of two members to notify the Governor, that the House is now organized and ready to do business. Motion carried.

Speaker Knudsen appointed Representative Laszloffy and Representative Noonan.

Majority Leader Regier moved that the Speaker appoint a committee of two members to notify the Senate that the House is now organized and ready to do business. Motion Carried.

Speaker Knudsen appointed Representative Brodehl and Representative Peppers.

Majority Leader Regier moved that the Speaker appoint a committee of two members to notify the Supreme Court by letter that the House is now organized and ready to do business. Motion carried.

Speaker Knudsen appointed Representative Fitzpatrick and Representative Dudik.

Speaker Knudsen directed the House to stand at ease to await the report of the Select Committee from the Senate and the three Select Committees of the House.

A committee from the Senate composed of Senator Jones, Senator Fielder, Senator Malek, and Senator Hamlett were admitted and reported to the House that the Senate was organized and ready for business.

The committee appointed to notify the Senate that the House is organized and ready to do business reported it had done so. The committee was thanked and discharged.

The committee appointed to notify the Governor that the House is organized and ready to do



HOUSE JOURNAL  
FIRST LEGISLATIVE DAY - JANUARY 5, 2015

business reported it had done so. The committee was thanked and discharged.

The committee appointed to notify the Supreme Court that the House is organized and ready to do business reported it had done so. The committee was thanked and discharged.

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 1**, introduced by Ballance (by request of the Legislative Council), referred to Appropriations.

**HB 2**, introduced by Ballance (by request of the Office of Budget and Program Planning), referred to Appropriations.

**HB 3**, introduced by Noonan (by request of the Office of Budget and Program Planning), referred to Appropriations.

**HB 4**, introduced by Ballance (by request of the Office of Budget and Program Planning), referred to Appropriations.

**HB 5**, introduced by Welborn, referred to Appropriations.

**HB 9**, introduced by Cuffe (by request of the Office of Budget and Program Planning), referred to Appropriations.

**HB 10**, introduced by McCarthy (by request of the Office of Budget and Program Planning), referred to Appropriations.

**HB 12**, introduced by Hill (by request of the Law and Justice Interim Committee), referred to Judiciary.

**HB 13**, introduced by Swanson (by request of the Office of Budget and Program Planning), referred to Appropriations.

**HB 14**, introduced by McCarthy (by request of the Governor), referred to Appropriations.

**HB 16**, introduced by Regier (by request of the Public Service Commission), referred to Federal Relations, Energy, and Telecommunications.

**HB 17**, introduced by Berry (by request of the Economic Affairs Interim Committee), referred to Business and Labor.

**HB 18**, introduced by B. Bennett (by request of the Secretary of State), referred to State Administration.

**HB 19**, introduced by Hill (by request of the Law and Justice Interim Committee), referred to Judiciary.

**HB 20**, introduced by Hill (by request of the Law and Justice Interim Committee), referred to Judiciary.

**HB 21**, introduced by Hill, referred to Judiciary.

**HB 22**, introduced by Schreiner (by request of the Children, Families, Health, and Human Services Interim Committee), referred to Appropriations.

**HB 23**, introduced by Schreiner (by request of the Children, Families, Health, and Human Services Interim Committee), referred to Appropriations.

**HB 24**, introduced by Schreiner (by request of the Children, Families, Health, and Human Services Interim Committee), referred to Human Services.

**HB 25**, introduced by MacDonald (by request of the Law and Justice Interim Committee),

HOUSE JOURNAL  
FIRST LEGISLATIVE DAY - JANUARY 5, 2015

referred to Judiciary.

**HB 26**, introduced by MacDonald (by request of the Law and Justice Interim Committee), referred to Judiciary.

**HB 27**, introduced by Hayman (by request of the Office of Public Instruction), referred to Education.

**HB 28**, introduced by Eck (by request of the Law and Justice Interim Committee), referred to Judiciary.

**HB 29**, introduced by Jacobson (by request of the Board of Real Estate Appraisers), referred to Business and Labor.

**HB 30**, introduced by Hill, referred to State Administration.

**HB 31**, introduced by Kelker (by request of the Office of Public Instruction), referred to Education.

**HB 32**, introduced by Wagoner (by request of the Department of Justice), referred to Judiciary.

**HB 33**, introduced by Ehli (by request of the Children, Families, Health, and Human Services Interim Committee), referred to Appropriations.

**HB 34**, introduced by Ehli (by request of the Children, Families, Health, and Human Services Interim Committee), referred to Appropriations.

**HB 35**, introduced by Ehli (by request of the Children, Families, Health, and Human Services Interim Committee), referred to Appropriations.

**HB 36**, introduced by Lynch (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.

**HB 37**, introduced by Monforton, referred to Judiciary.

**HB 38**, introduced by Schreiner (by request of the Department of Justice), referred to Judiciary.

**HB 39**, introduced by Price (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.

**HB 40**, introduced by Berry (by request of the Department of Natural Resources and Conservation and the Office of Budget and Program Planning), referred to Local Government.

**HB 41**, introduced by Hunter (by request of the Revenue and Transportation Interim Committee), referred to Taxation.

**HB 42**, introduced by Greef (by request of the Public Service Commission), referred to Federal Relations, Energy, and Telecommunications.

**HB 43**, introduced by MacDonald (by request of the Law and Justice Interim Committee), referred to Judiciary.

**HB 44**, introduced by Berry (by request of the Board of Public Accountants), referred to Business and Labor.

**HB 45**, introduced by Karjala (by request of the State Auditor), referred to Business and Labor.

**HB 46**, introduced by Tropila (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.

**HB 47**, introduced by Pease-Lopez (by request of the Children, Families, Health, and Human Services Interim Committee), referred to Appropriations.

**HB 48**, introduced by Custer (by request of the Secretary of State), referred to State Administration.

**HB 49**, introduced by Perry (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.

HOUSE JOURNAL  
FIRST LEGISLATIVE DAY - JANUARY 5, 2015

**HB 50**, introduced by Steenberg (by request of the Department of Revenue), referred to Business and Labor.

**HB 51**, introduced by Z. Brown (by request of the Department of Natural Resources and Conservation and the Office of Budget and Program Planning), referred to Natural Resources.

**HB 52**, introduced by Dunwell (by request of the Department of Revenue), referred to Taxation.

**HB 53**, introduced by Person (by request of the State Auditor), referred to Business and Labor.

**HB 54**, introduced by Person (by request of the Department of Administration), referred to State Administration.

**HB 55**, introduced by Curdy (by request of the Secretary of State), referred to State Administration.

**HB 56**, introduced by White (by request of the Department of Revenue), referred to Taxation.

**HB 57**, introduced by Funk (by request of the State Auditor), referred to Business and Labor.

**HB 58**, introduced by Custer (by request of the Secretary of State), referred to State Administration.

**HB 59**, introduced by Lynch (by request of the Teachers' Retirement Board), referred to State Administration.

**HB 60**, introduced by Curdy (by request of the Department of Transportation), referred to Transportation.

**HB 61**, introduced by Lang (by request of the Public Service Commission), referred to Federal Relations, Energy, and Telecommunications.

**HB 62**, introduced by Court (by request of the Department of Natural Resources and Conservation and the Office of Budget and Program Planning), referred to Natural Resources.

**HB 63**, introduced by Swanson (by request of the Department of Labor and Industry), referred to Business and Labor.

**HB 64**, introduced by Webber (by request of the Department of Military Affairs), referred to Judiciary.

**HB 65**, introduced by Funk (by request of the Department of Administration), referred to Local Government.

**HB 66**, introduced by Hertz (by request of the Department of Administration), referred to Business and Labor.

**HB 67**, introduced by B. Smith (by request of the Department of Revenue), referred to Taxation.

**HB 68**, introduced by Kelker (by request of the Department of Military Affairs), referred to State Administration.

**HB 69**, introduced by Custer (by request of the Secretary of State), referred to State Administration.

**HB 70**, introduced by Custer (by request of the Secretary of State), referred to State Administration.

**HB 71**, introduced by Lynch (by request of the Public Defender Commission), referred to Judiciary.

**HB 72**, introduced by Lynch (by request of the Public Defender Commission), referred to Judiciary.

**HB 73**, introduced by Schreiner (by request of the Department of Public Health and Human Services), referred to Human Services.

HOUSE JOURNAL  
FIRST LEGISLATIVE DAY - JANUARY 5, 2015

**HB 74**, introduced by Lynch (by request of the Department of Justice), referred to Judiciary.

**HB 75**, introduced by Hess (by request of the Department of Justice), referred to Judiciary.

**HB 76**, introduced by Ellis (by request of the Commissioner of Political Practices), referred to State Administration.

**HB 77**, introduced by Ellis (by request of the Commissioner of Political Practices), referred to State Administration.

**HB 78**, introduced by Lynch (by request of the State Auditor), referred to Business and Labor.

**HB 79**, introduced by Lynch (by request of the Board of Plumbers and the State Electrical Board), referred to Business and Labor.

**HB 80**, introduced by Lynch (by request of the Board of Plumbers and the State Electrical Board), referred to Business and Labor.

**HB 81**, introduced by Lynch (by request of the Board of Barbers and Cosmetologists), referred to Business and Labor.

**HB 82**, introduced by Hertz (by request of the Department of Fish, Wildlife, and Parks), referred to Fish, Wildlife and Parks.

**HB 83**, introduced by Hayman (by request of the Department of Commerce), referred to Transportation.

**HB 84**, introduced by B. Bennett (by request of the State Administration and Veterans' Affairs Interim Committee), referred to State Administration.

**HB 85**, introduced by Woods (by request of the Teachers' Retirement Board), referred to State Administration.

**HB 86**, introduced by Custer, B. Bennett, referred to State Administration.

**HB 87**, introduced by McClafferty (by request of the Office of Public Instruction), referred to Education.

**HB 88**, introduced by Laszloffy (by request of the Department of Justice), referred to Judiciary.

**HB 89**, introduced by Dudik (by request of the Department of Justice), referred to Judiciary.

**HB 90**, introduced by Olsen (by request of the Department of Labor and Industry), referred to Business and Labor.

**HB 91**, introduced by Clark (by request of the Department of Agriculture), referred to Agriculture.

**HB 92**, introduced by Funk (by request of the Department of Fish, Wildlife, and Parks), referred to Fish, Wildlife and Parks.

**HB 93**, introduced by Fitzpatrick (by request of the Water Policy Committee), referred to Appropriations.

**HB 94**, introduced by Flynn (by request of the State Auditor), referred to Business and Labor.

**HB 95**, introduced by McCarthy (by request of the State Auditor), referred to Business and Labor.

**HB 96**, introduced by Osmundson (by request of the Department of Military Affairs), referred to State Administration.

**HB 97**, introduced by McClafferty (by request of the Department of Transportation), referred to Transportation.

**HB 98**, introduced by McClafferty (by request of the Department of Transportation), referred to Transportation.

**HB 99**, introduced by McClafferty (by request of the Department of Transportation), referred to Transportation.

HOUSE JOURNAL  
FIRST LEGISLATIVE DAY - JANUARY 5, 2015

**HB 100**, introduced by Garner (by request of the Public Safety Officer Standards and Training Council), referred to Judiciary.

**HB 101**, introduced by Steenberg (by request of the Public Employees' Retirement Board), referred to State Administration.

**HB 102**, introduced by Pinocci (by request of the Board of Realty Regulation), referred to Business and Labor.

**HB 103**, introduced by Z. Brown (by request of the State Auditor), referred to Business and Labor.

**HB 104**, introduced by Eck (by request of the Department of Transportation), referred to Transportation.

**HB 105**, introduced by Woods (by request of the Department of Agriculture), referred to Agriculture.

**HB 106**, introduced by MacDonald, referred to Judiciary.

**HB 107**, introduced by Cook (by request of the Public Employees' Retirement Board), referred to State Administration.

**HB 108**, introduced by Salomon (by request of the Department of Agriculture), referred to Agriculture.

**HB 109**, introduced by Salomon (by request of the Department of Agriculture), referred to Agriculture.

**HB 110**, introduced by Holmlund (by request of the Board of Funeral Service), referred to Business and Labor.

**HB 111**, introduced by Regier, referred to Judiciary.

**HB 112**, introduced by Regier, referred to Federal Relations, Energy, and Telecommunications.

**HB 113**, introduced by Fitzpatrick, referred to Business and Labor.

**HB 114**, introduced by Miller (by request of the Department of Revenue), referred to Taxation.

**HB 115**, introduced by Funk (by request of the Board of Nursing), referred to Business and Labor.

**HB 116**, introduced by B. Bennett (by request of the Commissioner of Political Practices), referred to State Administration.

**HB 117**, introduced by Lynch (by request of the Department of Labor and Industry), referred to Business and Labor.

**HB 118**, introduced by B. Bennett (by request of the State Auditor), referred to Business and Labor.

**HB 119**, introduced by Berry (by request of the State Auditor), referred to Business and Labor.

**HB 120**, introduced by Williams (by request of the Department of Commerce), referred to Taxation.

**HB 121**, introduced by Karjala (by request of the Department of Administration), referred to State Administration.

**HB 122**, introduced by Randall (by request of the Department of Revenue), referred to Taxation.

**HB 123**, introduced by D. Jones (by request of the Education and Local Government Interim Committee), referred to State Administration.

**HB 124**, introduced by McKamey (by request of the Public Employees' Retirement Board), referred to State Administration.

HOUSE JOURNAL  
FIRST LEGISLATIVE DAY - JANUARY 5, 2015

**HB 125**, introduced by Swanson (by request of the Department of Administration), referred to State Administration.

**HB 126**, introduced by Peppers (by request of the Department of Administration), referred to State Administration.

**HB 127**, introduced by Hill, referred to Human Services.

**HB 128**, introduced by Hill (by request of the Law and Justice Interim Committee), referred to Judiciary.

**HB 129**, introduced by Hill (by request of the Law and Justice Interim Committee), referred to Judiciary.

**HB 130**, introduced by Hill, referred to Judiciary.

**HB 131**, introduced by Hill (by request of the Commissioner of Political Practices), referred to State Administration.

**HB 132**, introduced by Garner (by request of the Department of Transportation), referred to Transportation.

**HB 133**, introduced by MacDonald (by request of the Public Defender Commission), referred to Judiciary.

**HB 134**, introduced by Eck (by request of the Department of Corrections), referred to Judiciary.

**HB 135**, introduced by Eck (by request of the Law and Justice Interim Committee), referred to Judiciary.

**HB 136**, introduced by Eck (by request of the Department of Corrections), referred to Judiciary.

**HB 137**, introduced by Hill, referred to Judiciary.

**HB 138**, introduced by Hill, referred to Human Services.

**HB 139**, introduced by McConnell (by request of the Public Defender Commission), referred to Judiciary.

**HB 140**, introduced by Welborn (by request of the Environmental Quality Council), referred to Fish, Wildlife and Parks.

**HB 141**, introduced by Dunwell (by request of the Department of Corrections), referred to Judiciary.

**HB 142**, introduced by Dunwell (by request of the Department of Corrections), referred to Judiciary.

**HB 143**, introduced by McConnell (by request of the Public Defender Commission), referred to Judiciary.

**HB 144**, introduced by A. Redfield, referred to Fish, Wildlife and Parks.

**HB 145**, introduced by M. Cuffe, referred to Agriculture.

**HB 146**, introduced by K. Flynn, referred to Fish, Wildlife and Parks.

The following House joint resolutions were introduced, read first time, and referred to committees:

**HJR 2**, introduced by Miller (by request of the Revenue and Transportation Interim Committee), referred to Taxation.

**HJR 3**, introduced by Hill, referred to State Administration.

HOUSE JOURNAL  
FIRST LEGISLATIVE DAY - JANUARY 5, 2015

The following House resolution was introduced, read first time, and referred to committee:

**HR 1**, introduced by Essmann (by request of the House Rules Standing Committee), referred to Rules.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Tuesday, January 6, 2015. Motion carried.

House adjourned at 1:14 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
SECOND LEGISLATIVE DAY**

Helena, Montana  
January 6, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Doane.  
Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

**LEGISLATIVE ADMINISTRATION** (Welborn, Chair):

1/6/2015

MR. SPEAKER:

We, your committee on Legislative Administration recommend that the following pages  
of the House be employed as of 1:00 p.m., Tuesday, January 6, 2015:

Jarryd Fischer, Rexford  
Kate Beaver, Helena  
Aimee Blackwell, Florence  
Danielle Peterson, Stevensville

Report Adopted.

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 147**, introduced by A. Wittich, referred to Human Services.  
**HB 148**, introduced by E. Hill, referred to Appropriations.  
**HB 149**, introduced by M. Cuffe, referred to Fish, Wildlife and Parks.  
**HB 150**, introduced by K. Flynn, referred to Fish, Wildlife and Parks.  
**HB 151**, introduced by M. Miller, referred to Taxation.  
**HB 152**, introduced by M. Miller, referred to Fish, Wildlife and Parks.  
**HB 153**, introduced by R. Hollandsworth, referred to Taxation.  
**HB 154**, introduced by R. Hollandsworth, referred to Taxation.  
**HB 155**, introduced by M. Funk, referred to State Administration.

**UNFINISHED BUSINESS**

Mr. Speaker, I move that the following undersigned name be **ADDED** as sponsor to **HB 78**  
Motion Carried.

**HB 78** (R. Lynch, Chief Sponsor)  
Zolnikov.



HOUSE JOURNAL  
SECOND LEGISLATIVE DAY - JANUARY 6, 2015

Mr. Speaker, I move that the following undersigned name be **ADDED** as sponsor to **HB 93**  
Motion Carried.

**HB 93** (S. Fitzpatrick, Chief Sponsor)  
Connell.

**ANNOUNCEMENTS**

Speaker Knudsen asked for volunteers to serve on the Legislative Memorial Service Committee.

Representative Essmann called for volunteers for the Legislative Memorial Service Choir.

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Wednesday, January 7, 2015. Motion carried.

House adjourned at 1:16 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
THIRD LEGISLATIVE DAY**

Helena, Montana  
January 7, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative White. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

**BILLS** (Welborn, Chair):

1/7/2015

Correctly engrossed: **HR 1**.

**REPORTS OF STANDING COMMITTEES**

**RULES** (Essmann, Chair):

1/6/2015

**HR 1**, introduced resolution, be amended as follows:

1. Page 6, line 18.

**Strike:** "is prohibited. Lobbying"

**Insert:** "and"

2. Page 6, line 19.

**Following:** "session."

**Insert:** "A registered lobbyist is prohibited from the house floor."

3. Page 7, line 22.

**Strike:** "ranking minority member"

**Insert:** "minority vice chair"

4. Page 10, line 28.

**Following:** "sponsor"

**Insert:** "made at least 48 hours prior to a scheduled hearing"

5. Page 12, line 11.

**Strike:** "ranking minority member"

**Insert:** "minority vice chairman"

6. Page 13, line 16 through line 17.

**Following:** "cosponsors"

**Insert:** "."

**Strike:** "by having" on line 16 through "legislation." on line 17

**Insert:** "A legislator shall sign the cosponsor form attached to the legislation in order to be added as a cosponsor."

HOUSE JOURNAL  
THIRD LEGISLATIVE DAY - JANUARY 7, 2015

7. Page 34, line 5.

**Strike:** "three-fifths"

**Insert:** "majority"

And, as amended, be adopted. Report adopted.

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 156**, introduced by M. Miller, referred to Taxation.  
**HB 157**, introduced by Z. Perry, referred to Education.  
**HB 158**, introduced by M. MacDonald, referred to Education.  
**HB 159**, introduced by F. Garner, referred to Taxation.  
**HB 160**, introduced by W. Curdy, referred to Judiciary.  
**HB 161**, introduced by V. Ricci, referred to Judiciary.  
**HB 162**, introduced by N. Schwaderer, referred to Education.  
**HB 163**, introduced by N. Schwaderer, referred to Education.  
**HB 164**, introduced by N. Schwaderer, referred to Local Government.  
**HB 165**, introduced by K. Regier, referred to Judiciary.  
**HB 166**, introduced by K. Regier, referred to Taxation.  
**HB 167**, introduced by J. Welborn, referred to Fish, Wildlife and Parks.  
**HB 168**, introduced by S. Fitzpatrick, referred to Natural Resources.  
**HB 169**, introduced by A. Wittich, referred to Taxation.  
**HB 170**, introduced by D. Moore, referred to State Administration.  
**HB 171**, introduced by D. Moore, referred to Judiciary.  
**HB 172**, introduced by D. Moore, referred to Local Government.  
**HB 173**, introduced by D. Moore, referred to Judiciary.

The following House joint resolution was introduced, read first time, and referred to committee:

**HJR 4**, introduced by M. Monforton, referred to Judiciary.

**UNFINISHED BUSINESS**

Mr. Speaker, I move that the following undersigned name be **ADDED** as sponsor to **HB 37** Motion Carried.

**HB 37** (M. Monforton, Chief Sponsor)  
Swandal.

HOUSE JOURNAL  
THIRD LEGISLATIVE DAY - JANUARY 7, 2015

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Thursday, January 8, 2015.  
Motion carried.

House adjourned at 1:10 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
FOURTH LEGISLATIVE DAY**

Helena, Montana  
January 8, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Smith. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

**BILLS** (Welborn, Chair):

1/8/2015

Correctly engrossed: **HB 1, HR 1.**

Correctly printed: **HB 122, HB 174, HB 175, HB 176, HB 177, HB 178, HB 179, HB 180, HB 181, HB 182, HB 183, HB 184.**

Correctly enrolled: **HR 1.**

**SPECIAL ORDERS OF THE DAY**

Chief Clerk Grovom announced the staff:

Lindsey Grovom	Chief Clerk
Dee Barfknecht	Deputy Chief Clerk
Cindy Loacker	Secretary to Chief Clerk
Dennis Lenz	Sergeant-At-Arms
Brad Murfitt	Asst. Sgt-At-Arms
Susan Dostal	Supply Clerk
Claudia Morley	Page Supervisor
Larry Cole	Safety & Facilities Aide
Jim Thies	Safety & Facilities Aide
David Ullrey	Safety & Facilities Aide
Josiah Van Kirk	Safety & Facilities Aide
Kathy Baird	Bills Clerk/Decorum Supervisor
Sandy Bradford	Bills Coordinator
JoAnne Miller	Journal Clerk
Tyler Phillips	Reading Clerk
Andy Metropoulos	Vote Clerk
Terry Myhre	Status Clerk
Bridger Bukantis	Amendments Coordinator
Linda Minich	Bills Distribution Coordinator
Becky Berger	Committee Support Staff Supervisor
Jessica Riffel	Agriculture & F.R.E.T.
Katya Grover	Appropriations
Karen Armstrong	Business & Labor
Nadia Zylawy	Education
Jennifer Petersen	FWP & State Administration

HOUSE JOURNAL  
FOURTH LEGISLATIVE DAY - JANUARY 8, 2015

Phoebe Williams	Human Services & ASC Gen Gov
McKenzie Chambers	Judiciary
Noah Horan	Local Government & ASC HHS
Sherri Row	Natural Resources
Erica Siate	Taxation
Kendra Balian	Transportation
Kathleen Ely	ASC Education
Sally Speer	ASC Judicial
Mary Ann Mackay	ASC Long Range Planning
Rita Tenneson	ASC Natural Resources
CJ Johnson	On Call Committee Secretary
Joyce Brodehl	Committee Aide
Colleen Dever	Committee Aide
Jake Flaherty	Committee Aide
Sharon Greef	Committee Aide
CJ Johnson	Committee Aide
Connie Myhre	Committee Aide
Susie Hamilton	Documents Specialist
Alex Gray	Word Processor
Shelley Vance	Secretary to Speaker
Max Hunsaker	Majority Chief of Staff
Karli Hill	Aide to Majority
Lindsey Singer	Aide to Majority
Schuyler Watt	Aide to Majority
Amanda Frickle	Minority Chief of Staff
Madeline Forbis	Aide to Minority
Carissa Kemp	Aide to Minority
Kevin Massey	Aide to Minority
Deborah Schaaf	Aide to Minority

**REPORTS OF STANDING COMMITTEES**

**APPROPRIATIONS** (Ballance, Chair):

1/7/2015

**HB 1**, introduced bill, be amended as follows:

1. Page 1, line 14.

**Strike:** "\$3,533,843"

**Insert:** "\$3,402,855"

2. Page 1, line 15.

**Strike:** "5,586,465"

HOUSE JOURNAL  
FOURTH LEGISLATIVE DAY - JANUARY 8, 2015

**Insert:** "5,455,477"

3. Page 1, line 16.

**Strike:** "688,722"

**Insert:** "643,722"

And, as amended, do pass. Report adopted.

**TAXATION** (Miller, Chair):

1/8/2015

**HB 122**, do pass. Report adopted.

## **FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 174**, introduced by D. Mortensen, S. Fitzpatrick, F. Mandeville, M. Monforton, R. Pinocci, referred to Judiciary.

**HB 175**, introduced by D. Mortensen, C. Fiscus, K. McCarthy, D. Zolnikov, referred to Judiciary.

**HB 176**, introduced by F. Mandeville, D. Mortensen, N. Schwaderer, referred to Fish, Wildlife and Parks.

**HB 177**, introduced by D. Moore, referred to Business and Labor.

**HB 178**, introduced by M. Monforton, N. Swandal, referred to Judiciary.

**HB 179**, introduced by T. Manzella, D. Mortensen, referred to Agriculture.

**HB 180**, introduced by B. Smith, D. Ankney, T. Berry, B. Hamlett, K. Hansen, B. Harris, A. Knudsen, K. Regier, S. Stewart-Peregoy, J. Windy Boy, referred to Appropriations.

**HB 181**, introduced by F. Mandeville, referred to Business and Labor.

**HB 182**, introduced by F. Mandeville, T. Berry, referred to Local Government.

HOUSE JOURNAL  
FOURTH LEGISLATIVE DAY - JANUARY 8, 2015

**HB 183**, introduced by F. Mandeville, referred to Local Government.

**HB 184**, introduced by G. Hertz, referred to Business and Labor.

Majority Leader Regier announced the Republicans would caucus.

Minority Leader Hunter announced the Democrats would also caucus.

House Recessed.

House Reconvened.

**SECOND READING OF BILLS**

**(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion Carried. Representative Osmundson in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HR 1** - Representative Essmann moved **HR 1** be adopted.

**HR 1** - Representative Hunter moved **HR 1**, second reading copy, be amended as follows:

1. Page 15, line 10.

**Strike:** "Legislation"

**Insert:** "(1) Except as provided in subsection (2), legislation"



HOUSE JOURNAL  
FOURTH LEGISLATIVE DAY - JANUARY 8, 2015

2. Page 15.

**Following:** line 11

**Insert:** "(2) For the 2015 Session, the majority party leadership and the minority party leadership may each make up to six separate requests to withdraw a bill from a House committee, and these requests require only a simple majority of those present and voting to withdraw a bill from a House committee."

3. Page 26, line 9.

**Following:** "(4)"

**Insert:** "except as provided in H40-90(2),"

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kip III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 86

Nays: J. Bennett, Fitzpatrick, Flynn, Harris, Hess, Redfield, Schwaderer, Shaw, Wagoner, White, Wittich, Zolnikov.

Total 12

HOUSE JOURNAL  
FOURTH LEGISLATIVE DAY - JANUARY 8, 2015

Excused: None.

Total 0

Absent or not voting: Custer, Manzella.

Total 2

**HR 1** - Representative Hunter moved **HR 1**, second reading copy, be amended as follows:

1. Page 15, line 16.

**Strike:** "may"

**Insert:** "must"

2. Page 15, line 17.

**Strike:** "not less than three-fifths"

**Insert:** "a majority"

3. Page 25, line 10.

**Strike:** "(14) or (16)"

**Insert:** "(13) or (15)"

4. Page 26, line 19.

**Strike:** subsection (11) in its entirety

**Renumber:** subsequent subsections

Amendment **not** adopted as follows:

HOUSE JOURNAL  
FOURTH LEGISLATIVE DAY - JANUARY 8, 2015

Yeas: B. Bennett, Z. Brown, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kip III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 46

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 51

Excused: None.

Total 0

Absent or not voting: Greef, Shaw, Welborn.

Total 3

**HR 1** - Representative Essmann moved **HR 1**, as amended, be adopted.  
Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter,

HOUSE JOURNAL  
FOURTH LEGISLATIVE DAY - JANUARY 8, 2015

Jacobson, Jones, Karjala, Kelker, Kip III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 87

Nays: J. Bennett, Doane, Fitzpatrick, Flynn, Harris, Hess, Miller, Mortensen, Schwaderer, Wagoner, White, Wittich, Zolnikov.

Total 13

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion Carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Osmundsen moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kip III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch,

HOUSE JOURNAL  
FOURTH LEGISLATIVE DAY - JANUARY 8, 2015

MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 93

Nays: Miller, Mortensen, Redfield, Schwaderer, Wittich, Zolnikov.

Total 6

Excused: None.

Total 0

Absent or not voting: Staffanson.

Total 1

## MOTIONS

Majority Leader Regier moved **HB 27** be moved from the Education committee to the Appropriations committee.

Majority Leader Regier moved **HB 38** be moved from the Judiciary committee to the Business and Labor committee.

## ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

HOUSE JOURNAL  
FOURTH LEGISLATIVE DAY - JANUARY 8, 2015

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Friday, January 9, 2015. Motion carried.

House adjourned at 2:15 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
FIFTH LEGISLATIVE DAY**

Helena, Montana  
January 9, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Tchida. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Wittich, Osmundson, excused. Quorum present.

**BILLS** (Welborn, Chair):

1/9/2015

Correctly printed: **HB 82, HB 92, HB 113.**

Correctly engrossed: **HB 1, HB 63, HB 109.**

Examined by the sponsor and found to be correct: **HR 1.**

Signed by the Chief Clerk of the House at 11:08 a.m., January 9, 2015: **HR 1.**

Signed by the Speaker at 11:15 a.m., January 9, 2015: **HR 1.**

Delivered to the Secretary of State at 11:16 a.m., January 9, 2015: **HR 1.**

**REPORTS OF STANDING COMMITTEES**

**AGRICULTURE** (Redfield, Chair):

1/8/2015

**HB 109**, introduced bill, be amended as follows:

1. Page 1, line 10 through page 3, line 2.

**Strike:** everything after the enacting clause

**Insert:** "NEW SECTION. Section 1. Plant sampling provided -- fees -- rulemaking authority. (1) In a dispute in which a plant sample would serve a useful purpose to clarify, quantify, or settle the dispute, either party may file with the department a request that the department provide sampling services.

(2) The department shall charge a fee that covers the costs of providing the sampling service. Costs associated with sampling must be paid by the person who requested the sampling unless:

(a) both parties agree to a different assignment of costs through a contractual or settlement agreement; or

(b) a different allocation has been ordered through mediation or a court order.

(3) The department shall adopt rules to implement this section."

**Insert:** "NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 80, chapter 2, and the provisions of Title 80, chapter 2, apply to [section 1]."

And, as amended, do pass. Report adopted.

HOUSE JOURNAL  
FIFTH LEGISLATIVE DAY - JANUARY 9, 2015

**BUSINESS AND LABOR** (Berry, Chair):

1/9/2015

**HB 63**, introduced bill, be amended as follows:

1. Page 5, line 13.

**Following:** "[section"

**Strike:** "5(3)"

**Insert:** "5(1)(c)"

And, as amended, do pass. Report adopted.

**HB 113**, do pass. Report adopted.

**FISH, WILDLIFE AND PARKS** (Flynn, Chair):

1/8/2015

**HB 82**, do pass. Report adopted.

**HB 92**, do pass. Report adopted.

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 185**, introduced by J. Price, J. Cohenour, R. Cook, S. Fitzpatrick, E. Greef, R. Hollandsworth, R. Lynch, W. McKamey, R. Mehlhoff, D. Moore, P. Noonan, G. Pierson, J. Pomnichowski, D. Salomon, T. Steenberg, S. Stewart-Peregoy, K. Swanson, L. Whitford, M. Dunwell, C. Schreiner, E. McClafferty, referred to Transportation.

**HB 186**, introduced by C. Pease-Lopez, J. Eck, S. Laszloffy, S. Lavin, A. Person, N. Schwaderer, K. Wagoner, referred to Judiciary.

**HB 187**, introduced by T. Steenberg, referred to Local Government.

**HB 188**, introduced by A. Wittich, referred to Federal Relations, Energy, and Telecommunications.

**HB 189**, introduced by T. Woods, referred to Federal Relations, Energy, and Telecommunications.

**HB 190**, introduced by T. Woods, referred to Federal Relations, Energy, and Telecommunications.

**HB 191**, introduced by J. Eck, A. Wittich, referred to Human Services.

**HB 192**, introduced by A. Wittich, referred to Federal Relations, Energy, and Telecommunications.

**HB 193**, introduced by D. Salomon, referred to Local Government.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion Carried. Representative Wagoner in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:



HOUSE JOURNAL  
FIFTH LEGISLATIVE DAY - JANUARY 9, 2015

**HB 1** - Representative Ballance moved **HB 1** do pass.

**HB 1** - Representative Ballance moved **HB 1**, second reading copy, be amended as follows:

1. Page 1, line 17.

**Strike:** "2016"

**Insert:** "2017"

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kip III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: Wittich.

Total 1

Absent or not voting: None.

Total 0

**HB 1** - Representative Ballance moved **HB 1**, as amended, do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kip III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

HOUSE JOURNAL  
FIFTH LEGISLATIVE DAY - JANUARY 9, 2015

Nays: Burnett, Glimm, Schwaderer.

Total 3

Excused: Wittich.

Total 1

Absent or not voting: None.

Total 0

**HB 122** - Representative Randall moved **HB 122** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kip III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Excused: Wittich.

Total 1

Absent or not voting: McKamey.

Total 1

Majority Leader Regier moved the committee rise and report. Motion Carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Wagoner moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kip III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw,

HOUSE JOURNAL  
FIFTH LEGISLATIVE DAY - JANUARY 9, 2015

Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov.  
Total 96

Nays: None.  
Total 0

Excused: Osmundson, Wittich.  
Total 2

Absent or not voting: Fiscus, Mr. Speaker.  
Total 2

**MOTIONS**

Representative Greef moved to change his vote on **HR 1** from Not Voting to No. Minority Leader Hunter objected. Motion Denied.

Representative Custer moved to change her vote on **HR 1 Amendment #1014** from Not Voting to Yes. Without objection, so ordered.

**SPECIAL ORDERS OF THE DAY**

Representative Olszewski announced that January 9th was Law Enforcement Appreciation Day and asked for all members of the House to join him in a moment of silence in order to "show respect for those officers that sacrificed their lives in the line of duty. These brave women and men are the tip of the spear that makes Montana civil and save. May we never forget."

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Monday, January 12, 2015. Motion carried.

House adjourned at 1:41 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
SIXTH LEGISLATIVE DAY**

Helena, Montana  
January 12, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative McKamey. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Fiscus, Dunwell, excused. Quorum present.

**BILLS** (Welborn, Chair): 1/12/2015

Correctly printed: **HB 39, HB 40, HB 90.**  
Transmitted to the Senate: **HB 1, HB 122.**

**LEGISLATIVE ADMINISTRATION** (Welborn, Chair): 1/12/2015

MR. SPEAKER:

We, your committee on Legislative Administration recommend that employment of the following pages of the House be ceased as of 5:00 p.m., Friday, January 9, 2015:

Jarryd Fischer, Rexford, MT  
Kate Beaver, Helena, MT  
Aimee Blackwell, Florence, MT  
Danielle Peterson, Stevensville, MT

and recommend that the following pages of the House be employed as of 1:00 p.m., Monday, January 12, 2015:

Seth Wagner, Whitefish, MT  
Lauren Fordham, Laurel, MT  
Trevor Raulston, Helena, MT  
Philip Rhodes, Kila, MT

Report Adopted.

**REPORTS OF STANDING COMMITTEES**

**LOCAL GOVERNMENT** (Greef, Chair): 1/8/2015  
**HB 40**, do pass. Report adopted.

HOUSE JOURNAL  
SIXTH LEGISLATIVE DAY - JANUARY 12, 2015

**NATURAL RESOURCES** (White, Chair):  
**HB 39**, do pass. Report adopted.

1/9/2015

**BUSINESS AND LABOR** (Berry, Chair):  
**HB 90**, do pass. Report adopted.

1/12/2015

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 194**, introduced by A. Redfield, referred to Agriculture.

**HB 195**, introduced by N. McConnell, referred to Judiciary.

**HB 196**, introduced by S. Webber, referred to Education.

**HB 197**, introduced by K. Regier, referred to Judiciary.

**HB 198**, introduced by K. Regier, referred to State Administration.

**HB 199**, introduced by J. Ellis, referred to Transportation.

**HB 200**, introduced by R. Pinocci, E. Arntzen, N. Ballance, S. Berglee, D. Brown, C. Clark, G. Custer, A. Doane, J. Fielder, C. Fiscus, K. Flynn, C. Glimm, D. Hagstrom, B. Harris, G. Hertz, J. Hinkle, K. Holmlund, D. Kary, A. Knudsen, D. Lamm, M. Lang, S. Laszloffy, S. Lavin, T. Manzella, W. McKamey, G. Meyers, M. Monforton, D. Mortensen, M. Noland, A. Olszewski, L. Randall, K. Regier, V. Ricci, R. Ripley, S. Sales, D. Salomon, S. Staffanson, N. Swandal, J. Taylor, F. Thomas, B. Tschida, G. Vance, K. Wagoner, R. Webb, J. Welborn, A. Wittich, D. Zolnikov, J. Essmann, F. Garner, referred to Human Services.

**HB 201**, introduced by K. Regier, referred to Taxation.

**HB 202**, introduced by B. Bennett, J. Eck, S. Fitzpatrick, M. Funk, F. Garner, G. Hertz, S. Hess, D. Lamm, S. Laszloffy, W. McKamey, D. Mortensen, N. Schwaderer, K. Wagoner, referred to Transportation.

The following House bill was introduced, read first time, and referred to committee:

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion Carried. Representative Randall in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 63** - Representative Swanson moved **HB 63** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill,

HOUSE JOURNAL  
SIXTH LEGISLATIVE DAY - JANUARY 12, 2015

Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kip III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland,

Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 98

Nays: Harris, Wittich.  
Total 2

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 82** - Representative Hertz moved **HB 82** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kip III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.  
Total 98

Nays: Tschida, Zolnikov.  
Total 2

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
SIXTH LEGISLATIVE DAY - JANUARY 12, 2015

**HB 92** - Representative Funk moved **HB 92** do pass. Motion carried as follows:

Yeas: B. Bennett, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Flynn, Funk, Garner, Greef, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kip III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry,

Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 57

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Cuffe, Doane, Ehli, Fiscus, Fitzpatrick, Glimm, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Miller, Monforton, Mortensen, Noland, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 43

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 109** - Representative Salomon moved **HB 109** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kip III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 97

Nays: Burnett, Wittich, Zolnikov.

Total 3

Excused: None.

Total 0

HOUSE JOURNAL  
SIXTH LEGISLATIVE DAY - JANUARY 12, 2015

Absent or not voting: None.  
Total 0

**HB 113** - Representative Fitzpatrick moved **HB 113** do pass. Motion **failed** as follows:

Yeas: Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Fiscus, Fitzpatrick, Flynn, Garner, Greef, Hagstrom, Harris, Hertz, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Monforton, Noland, Osmundson, Pinocci, Randall, Redfield, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Welborn, Zolnikov, Mr. Speaker.  
Total 42

Nays: Ballance, B. Bennett, J. Bennett, Z. Brown, Court, Curdy, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Funk, Glimm, Hayman, Hess, Hill, Hunter, Jacobson, Karjala, Kelker, Kip III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Regier, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Wittich, Woods.  
Total 58

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Majority Leader Regier moved the committee rise and report. Motion Carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Randall moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kip III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 98

Nays: None.  
Total 0



HOUSE JOURNAL  
SIXTH LEGISLATIVE DAY - JANUARY 12, 2015

Excused: Dunwell, Fiscus.  
Total 2

Absent or not voting: None.  
Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 1** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kip III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 93

Nays: J. Bennett, Burnett, Glimm, Schwaderer, Wittich.  
Total 5

Excused: Dunwell, Fiscus.  
Total 2

Absent or not voting: None.  
Total 0

**HB 122** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kip III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson,

HOUSE JOURNAL  
SIXTH LEGISLATIVE DAY - JANUARY 12, 2015

Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 98

Nays: None.  
Total 0

Excused: Dunwell, Fiscus.  
Total 2

Absent or not voting: None.  
Total 0

**MOTIONS**

Majority Leader Regier moved **HB 185** be moved from the Transportation committee to the Education committee.

**UNFINISHED BUSINESS**

Mr. Speaker, I move that the following undersigned name be **ADDED** as sponsor to **HB 180**  
Motion Carried.  
**HB 180** (B. Smith, Chief Sponsor)  
Lang.

**SPECIAL ORDERS OF THE DAY**

Representative Pierson requested the Speaker appoint a committee of four to announce to the Senate that the House has the Basketball Trophy from last session and that it is time to begin practicing for the biennial House vs Senate Basketball game to benefit the Boys and Girls Club of Helena.

The Speaker appointed Representatives Steenberg, Moore, Zolnikov and Pierson to inform the Senate. The House stood at ease awaiting the return of the committee.

Upon return of the committee it was announced that Representative Zac Brown will be in charge of this years game. The Speaker announced that whenever members of the House request to change their votes on a bill, they will be required to make a five dollar donation to the fund. In addition, if a phone goes off during session a donation will be made to the fund.

HOUSE JOURNAL  
SIXTH LEGISLATIVE DAY - JANUARY 12, 2015

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Tuesday, January 13, 2015. Motion carried.

House adjourned at 1:52 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
SEVENTH LEGISLATIVE DAY**

Helena, Montana  
January 13, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Brodehl. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Kelker, excused. Quorum present.

**BILLS** (Welborn, Chair):

1/13/2015

Correctly printed: **HB 16, HB 61.**

Transmitted to the Senate: **HB 63, HB 82, HB 109.**

**REPORTS OF STANDING COMMITTEES**

**FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS** (Lang, Chair): 1/12/2015

**HB 16**, do pass. Report adopted.

**HB 61**, do pass. Report adopted.

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 203**, introduced by A. Wittich, referred to Judiciary.

**HB 204**, introduced by G. Hertz, J. Brenden, D. Brown, B. Hamlett, J. Keane, S. Malek, R. Ripley, S. Sales, F. Thomas, J. Windy Boy, G. Bennett, M. Blasdel, R. Brodehl, S. Fitzpatrick, K. Flynn, F. Garner, S. Hess, D. Jones, L. Jones, R. Lynch, A. Olszewski, L. Randall, M. Rosendale, K. Wagoner, R. Webb, K. White, T. Woods, D. Ankney, referred to Judiciary.

**HB 205**, introduced by D. Moore, referred to Business and Labor.

**HB 206**, introduced by M. Lang, J. Brenden, C. Clark, A. Doane, K. Flynn, B. Harris, G. Meyers, D. Mortensen, G. Pierson, L. Randall, A. Redfield, D. Salomon, R. Shaw, C. Smith, S. Staffanson, J. Welborn, referred to Agriculture.

**HB 207**, introduced by D. Zolnikov, referred to Business and Labor.

**HB 208**, introduced by D. Moore, referred to Judiciary.

**HB 209**, introduced by C. Schreiner, referred to State Administration.

**HB 210**, introduced by K. Wagoner, referred to Judiciary.

**HB 211**, introduced by K. Wagoner, referred to State Administration.

**HB 212**, introduced by K. Wagoner, referred to Fish, Wildlife and Parks.

**HB 213**, introduced by M. Miller, M. Blasdel, R. Brodehl, B. Brown, G. Hertz, R. Hollandsworth, D. Jones, G. Meyers, D. Mortensen, A. Olszewski, K. Regier, T. Richmond, N. Schwaderer, C. Smith, F. Thomas, G. Vance, referred to Taxation.

**HB 214**, introduced by D. Moore, referred to Judiciary.

**HB 215**, introduced by R. Pinocci, referred to Business and Labor.

**HB 216**, introduced by Z. Perry, referred to State Administration.

HOUSE JOURNAL  
SEVENTH LEGISLATIVE DAY - JANUARY 13, 2015

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion Carried. Representative B. Bennett in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 39** - Representative Price moved **HB 39** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kip III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 40** - Representative Berry moved **HB 40** do pass. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kip III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson,

HOUSE JOURNAL  
SEVENTH LEGISLATIVE DAY - JANUARY 13, 2015

Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Ballance, Monforton, Olszewski, Wittich.

Total 4

Excused: None.

Total 0

Absent or not voting: Hayman.

Total 1

Majority Leader Regier moved the committee rise and report. Motion Carried. Committee arose. House resumed. Mr. Speaker presiding. Chair B. Bennett moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kip III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: Kelker.

Total 1

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SEVENTH LEGISLATIVE DAY - JANUARY 13, 2015

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 63** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kip III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 92

Nays: B. Brown, Essmann, Lamm, Randall, Schwaderer, Wittich, Zolnikov.  
Total 7

Excused: Kelker.  
Total 1

Absent or not voting: None.  
Total 0

**HB 82** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kip III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 94

Nays: Hess, Lamm, Tschida, Wittich, Zolnikov.  
Total 5

HOUSE JOURNAL  
SEVENTH LEGISLATIVE DAY - JANUARY 13, 2015

Excused: Kelker.

Total 1

Absent or not voting: None.

Total 0

**HB 109** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Holmlund, Hunter, Jacobson, Jones, Karjala, Kip III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 88

Nays: J. Bennett, B. Brown, Burnett, Fiscus, Hess, Hollandsworth, Lamm, Miller, Schwaderer, Wittich, Zolnikov.

Total 11

Excused: Kelker.

Total 1

Absent or not voting: None.

Total 0

**UNFINISHED BUSINESS**

Mr. Speaker, I move that the following undersigned name be **ADDED** as sponsor to **HJR 4**  
Motion Carried.

**HJR 4** (M. Monforton, Chief Sponsor)  
Olszewski.

Mr. Speaker, I move that the following undersigned name be **ADDED** as sponsor to **HB 188**  
Motion Carried.

**HB 188** (A. Wittich, Chief Sponsor)  
Phillips.

Mr. Speaker, I move that the following undersigned name be **ADDED** as sponsor to **HB 192**  
Motion Carried.

**HB 192** (A. Wittich, Chief Sponsor)  
Phillips.



HOUSE JOURNAL  
SEVENTH LEGISLATIVE DAY - JANUARY 13, 2015

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Wednesday, January 14, 2015. Motion carried.

House adjourned at 1:20 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
EIGHTH LEGISLATIVE DAY**

Helena, Montana  
January 14, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Burnett. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Kelker, D. Moore, excused. Quorum present.

**BILLS** (Welborn, Chair): 1/14/2015

Correctly printed: **HB 64, HB 75, HB 91, HB 105, HB 134, HB 136, HB 143.**

Correctly engrossed: **HB 32, HB 108.**

Transmitted to the Senate: **HB 39, HB 40.**

**REPORTS OF STANDING COMMITTEES**

**AGRICULTURE** (Redfield, Chair): 1/13/2015

**HB 91**, do pass. Report adopted.

**HB 105**, do pass. Report adopted.

**HB 108**, introduced bill, be amended as follows:

1. Title, page 1, line 6 through line 7.

**Strike:** "REVENUE RECORDED" on line 6 through "REVENUE FUND" on line 7

**Insert:** "AMOUNT AWARDED THROUGH GRANTS AND CONTRACTS"

2. Page 2, line 27 through line 28.

**Strike:** "revenue recorded in the noxious weed management special revenue fund"

**Insert:** "amount of grants and contracts awarded from the noxious weed management special revenue fund under subsection (4)"

And, as amended, do pass. Report adopted.

**JUDICIARY** (Bennett, Chair): 1/14/2015

**HB 32**, introduced bill, be amended as follows:

1. Page 1, line 11.

**Following:** "entitled to"

**Insert:** "directly"

2. Page 1, line 12.

**Strike:** "confidential"

**Insert:** "the"

HOUSE JOURNAL  
EIGHTH LEGISLATIVE DAY - JANUARY 14, 2015

**Following:** "information"

**Insert:** "network"

3. Page 1, lines 13 through 15.

**Strike:** subsections (a) and (b) in their entirety

**Insert:** "(a) accesses the criminal justice information network for personal use or financial gain; or  
(b) disseminates information accessed from the criminal justice information network to any person who is not authorized to receive confidential criminal justice information pursuant to 44-5-303."

4. Page 1, line 18 through line 19.

**Following:** "section," on line 18

**Strike:** remainder of line 18 through line 19

**Insert:** "the following definitions apply:

(a) "Confidential criminal justice information" has the meaning provided in 44-5-103.

(b) "Criminal justice information network" has the meaning provided in 44-2-301."

And, as amended, do pass. Report adopted.

**HB 64**, do pass. Report adopted.

**HB 75**, do pass. Report adopted.

**HB 134**, do pass. Report adopted.

**HB 136**, do pass. Report adopted.

**HB 143**, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**Senate bills** passed and transmitted to the House for concurrence:

1/13/2015

**SB 5**, introduced by Windy Boy

**SB 7**, introduced by Webb

**SB 18**, introduced by Dick Barrett

**SB 33**, introduced by Taylor

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 217**, introduced by T. Richmond, P. Connell, F. Garner, D. Kary, M. Noland, referred to Taxation.

**HB 218**, introduced by D. Mortensen, R. Cook, F. Garner, R. Pinocci, D. Salomon, C. Smith, D. Zolnikov, referred to Business and Labor.

**HB 219**, introduced by J. Essmann, J. Hinkle, referred to Judiciary.

**HB 220**, introduced by J. Essmann, R. Driscoll, referred to State Administration.

HOUSE JOURNAL  
EIGHTH LEGISLATIVE DAY - JANUARY 14, 2015

**HB 221**, introduced by M. MacDonald, R. Brodehl, W. Curdy, F. Garner, D. Jones, S. Lavin, E. Lieser, D. Mortensen, T. Steenberg, K. Swanson, referred to Fish, Wildlife and Parks.

**HB 222**, introduced by R. Hollandsworth, referred to Transportation.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion Carried. Representative Glimm in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 61** - Representative Lang moved **HB 61** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kip III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: J. Bennett, B. Brown, Williams, Wittich.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 90** - Representative Olsen moved **HB 90** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kip III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Osmundson, Pease-Lopez,

HOUSE JOURNAL  
EIGHTH LEGISLATIVE DAY - JANUARY 14, 2015

Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 89

Nays: B. Brown, Glimm, Lamm, McKamey, Monforton, Noland, Olszewski, Schwaderer, Tschida, Wittich, Zolnikov.

Total 11

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion Carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Glimm moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kip III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: None.

Total 0

Excused: Kelker, Moore.

Total 2

Absent or not voting: Glimm.

Total 1

HOUSE JOURNAL  
EIGHTH LEGISLATIVE DAY - JANUARY 14, 2015

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 39** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kip III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 98

Nays: None.  
Total 0

Excused: Kelker, Moore.  
Total 2

Absent or not voting: None.  
Total 0

**HB 40** passed as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kip III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 92

Nays: Ballance, B. Brown, Manzella, Monforton, Olszewski, Wittich.  
Total 6

HOUSE JOURNAL  
EIGHTH LEGISLATIVE DAY - JANUARY 14, 2015

Excused: Kelker, Moore.

Total 2

Absent or not voting: None.

Total 0

Representative Jacobson rose on a **Point of Personal Privilege** on HB 92 he clarified his use of the word "audit" during his testimony on 2nd Reading and apologized for any misunderstanding.

Representative White rose on a **Point of Personal Privilege** and thanked Representative Jacobson for his clarification.

**HB 92 failed** as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kip III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 47

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 51

Excused: Kelker, Moore.

Total 2

Absent or not voting: None.

Total 0

**MOTIONS**

Majority Leader Regier moved **HB 207** be moved from the Business and Labor committee to the Judiciary committee.

HOUSE JOURNAL  
EIGHTH LEGISLATIVE DAY - JANUARY 14, 2015

**UNFINISHED BUSINESS**

Mr. Speaker, I move that the following undersigned names be **ADDED** as sponsors to **HB 177**  
Motion Carried.

**HB 177** (D. Moore, Chief Sponsor)

Berry, Curdy, Hertz, Olsen, Salomon, Blasdel, Facey, Keenan, Larsen, Sands, Thomas, and  
Volken.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Thursday, January 15,  
2015. Motion carried.

House adjourned at 1:23 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House



**HOUSE JOURNAL  
64TH LEGISLATURE  
NINTH LEGISLATIVE DAY**

Helena, Montana  
January 15, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Ricci. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Kelker and Lamm, excused. Quorum present.

**MOTIONS**

Majority Leader Regier moved the House recess for the purpose of receiving an address by the Chief Justice of the Montana Supreme Court, Mike McGrath. Upon Adjournment of the Joint Session, the House will reconvene. Motion carried.

House in Recess.

Sergeant-at-Arms Lenz notified Speaker Knudsen that the Honorable Senate of the State of Montana was awaiting entrance to the Chamber.

Speaker Knudsen requested Sergeant-at-Arms Lenz admit the Honorable Senate into the House Chambers.

Speaker Knudsen introduced Senate President Barrett and yielded the chair to her.

Senate Majority Leader Rosendale moved that the body resolve itself into a joint session for the purpose of receiving an address from Chief Justice of the Montana Supreme Court, Mike McGrath. Motion carried.

Senate Majority Leader Rosendale moved that President Barrett be authorized to appoint a committee of four to notify Chief Justice McGrath that the body was in joint session and ready to receive his address. Motion carried.

President Barrett appointed Senator Sales, Senator Driscoll, Representative Dudik and Representative Mandeville to escort Chief Justice McGrath into the House Chambers.

Senate Sergeant-at-Arms Spencer announced that Chief Justice McGrath, was awaiting entrance to the House.

The Committee escorted Chief Justice McGrath into the Chambers.

President Barrett introduced Chief Justice McGrath to the Joint Session.

Chief Justice McGrath gave the following remarks:

HOUSE JOURNAL  
NINTH LEGISLATIVE DAY - JANUARY 15, 2015

Madam President, Mr. Speaker, Members of the Court, Honored Guests, Members of this Joint Assembly:

Thank you for giving me this opportunity. It is indeed an honor to be here speaking on behalf of Montana's Judiciary. It is very gracious of you to schedule the time to hear from the Executive and Judicial Branches of Montana's government.

Let me also acknowledge the work of the Legislative Auditor's office. In the past few years we have had audit reviews of the Water Court, Drug Courts, and Court Help Programs. These reviews are very helpful to us as managers and allow us the opportunity to look at issues that need addressing. So thank you for providing that service.

Once again, this session, the State of the Judiciary is a mixed bag.

In Montana, our courts process about 1,000 cases each day, 350,000 per year. It adds up to one case for every three Montana residents. At 1,000 cases per day, our courts are busy and the workload for court employees is very heavy. The District Courts, which are the courts of general jurisdiction that handle the most serious cases, exceeded 53,000 new cases last year, another record.

Many people come to court because their lives are in crisis. They include victims of crime and people charged with crimes, children suffering from child abuse, ranchers who can't irrigate because of a water dispute, businesses being wrongfully sued by disgruntled employees, workers injured on the job, neighbors fighting over disputed property boundaries or roads, entrepreneurs challenging the government's interpretation of legislation, and mothers seeking child support to buy diapers.

In recent years, in many places throughout the world, governments are in major transition. Citizens have risen up, not only in protest, but in insurrection and civil war. Why? . . . They want what we have. They want a right to be heard by their government. They want a place at the table when major decisions affecting their lives are being made by the government. And they want to be governed by the rule of law, where disputes can be resolved by an independent and impartial system of dispute resolution. Our founders developed a system that has become the blueprint for political and economic success for the modern world.

In the words of historian Joseph Ellis, American success is "about the triumph of representative government bottomed on the principle of popular sovereignty, a market economy fueled by the energies of our citizens, a secular state unaffiliated with any official religion, and the rule of law that presumes the equality of all."

The founders knew that the republic they had created had to be based upon the rule of law. That rule of law requires an independent and impartial manner of resolving disputes, be they commercial matters, family crises, criminal charges or removal of public officers. The rule of law means that disputes are resolved without regard to the social status, political beliefs, or religious preference of the individuals involved in the dispute, and each party has the opportunity to explain his or her position to an impartial magistrate. All of us have the right to equal protection under the law, and

HOUSE JOURNAL  
NINTH LEGISLATIVE DAY - JANUARY 15, 2015

everyone has a right to due process.

In fact, our economy depends on this independent system. Investors and other businesses have the right to rely on an orderly and prompt dispute resolution process. They have the freedom to enter into contracts and the ability to have those contracts enforced.

The Judiciary in Montana understands that we have a tremendous responsibility and strive daily to ensure that we uphold these traditions. Those 1,000 people per day that end up in our courts know that our justice system is based on the rule of law and not individual whim. Our disputes are resolved within an orderly system that provides all parties the opportunity to be heard. They know that even in the most remote courthouse in Montana, they will get a fair hearing and hopefully a timely decision. Individual citizens have the rights enunciated in our Constitution and the ability to enforce those rights whether they are in Superior or Sidney, Billings or Butte. And all of us have the right to expect the courts to make those decisions based on the merits of each individual case, by judges independent of bias, prejudice or political influence.

The creation of these independent government branches to provide a system of checks and balances was an ingenious idea. Each Branch is independent, yet reliant on the other two. Members of all three Branches take the same oath of office "to support, protect and defend the Constitution of the United States and the Constitution of the state of Montana." As Chief Justice Roberts has noted: "By ensuring that no one in government has too much power, the Constitution helps protect ordinary Americans every day against abuse of power by those in authority."

As an independent third branch of government, our responsibilities are great but our needs are small. Our budget is less than 1 percent of the total state budget. Yet we recognize that with judicial independence comes the corresponding responsibility to be accountable:

- accountable to the people who elect us, and;
- accountable to the Legislature, especially as to how we spend public funds.

In an effort to be more accountable, the Judicial Branch has undertaken a series of performance measures. Specifically, at the Supreme Court, these measures have been implemented, and our case load continues to be current. We have no cases over 6 months old and our average time to resolve a case is less than 100 days.

The Supreme Court takes every case that is appealed. We don't go out and find disputes to resolve. We hear everything from multiple homicides to dog at large cases, from small claims disputes to multi-million dollar jury verdicts. We interpret laws passed by the Legislature and we have the responsibility to determine if laws pass constitutional muster. And, contrary to what some have said, we give great deference to legislative enactments. In the six years that I have been Chief Justice, 70 cases have come to us seeking to overthrow measures passed by this body as unconstitutional. We have upheld your actions in 62 of the 70 cases.

We have taken steps to make our decisions more available to the public and the process more transparent.

HOUSE JOURNAL  
NINTH LEGISLATIVE DAY - JANUARY 15, 2015

We conduct more oral arguments, in court rooms and other locations that are available for public viewing. We prepare summaries of those cases and stream the arguments on-line. And we issue a synopsis of complicated cases to make it easier for the media and the public to understand the questions decided.

In the District Courts, performance standards are also now being implemented. The procedures have been adapted to accurately measure case loads and case timeliness. We recently completed, with the assistance of the National Center for State Courts, a systematic workload study for the District Courts. As I mentioned, last year 53,182 cases were filed, 1,156 cases for each judge. That is a heavy caseload.

Yet, in the last few sessions we have experienced very lean budgets, including vacancy savings and programs funded on a one-time only basis. Our branch consists of 54 independently elected officials, 46 of who are elected from their local community. As the vast majority of our budget consists of personnel costs, it has been hard to find areas to cut.

We have done a good job of managing our resources; we have found the waste. We cut \$100,000 each year for library and computer research; \$90,000 each year for dues to national organizations; and \$400,000 for attorneys and guardian ad litem in child custody cases. We have decimated our training program and eliminated out-of-state travel, to the extent that our staff training programs are now inadequate. We do not have sufficient personnel in our technology department to support the computer and video conferencing equipment that now exists in the 200 plus courts we support throughout Montana.

Because of low interest rates and the decline of the prices of oil and gas, we will be seeking changes in the funding mechanism of the Water Court, the branch of the Judiciary that has been tasked with resolving over 200,000 water claims in Montana. Also, Senator Vincent's SB 57 has a number of performance measures that should continue the improvement in the water adjudication process. Water rights disputes are often complicated and difficult to conclude. Our new Water Judges, Russ McElyea and Doug Ritter, are doing a great job moving these cases to final decrees. I hope the Senate will be able to confirm their appointments soon.

Additional budget reductions will fall on the backs of an overworked local judiciary and inevitably result in delay and court backlogs. Of course the losers under that scenario are your constituents, especially small business and working people. We know that backlogged courts are bad for business. It is the commercial litigation that suffers most from court delay. Criminal cases, child abuse or custody cases, mental commitments and Youth Court cases by law must be given priority. As a result, the building contractor trying to resolve a contract dispute or the small business trying to collect a bad debt gets pushed back.

We are continuously looking to increase efficiency. Not all judicial caseloads are the same; some districts have significantly larger caseloads than others. LC 860, to be introduced by Representative Steve Fitzpatrick, provides the Legislature an opportunity to take an in depth look at the current geographical boundaries of the District Courts. It provides for a commission made up of legislators, county commissioners, and judges, and requires them to analyze our workload study and make some recommendations to the 2017 Legislature if changes are warranted. This

HOUSE JOURNAL  
NINTH LEGISLATIVE DAY - JANUARY 15, 2015

may be one method of avoiding the necessity of adding additional judges in some communities. We have other solutions that will help reduce judicial backlogs. Most importantly, we must continue the Court Help Program statewide. Most people and many small businesses either cannot afford an attorney, or can't find an attorney to take their case, so they represent themselves. At the trial court level, the pro se matter:

- Tend to be messy,
- Are time consuming,
- Are very frustrating-not only for the Judge but the parties themselves.

Consider this, almost 2/3 of the domestic relations cases, mostly divorces and parenting plans-appear in court with at least one party not represented by a lawyer. Family cases are more than 20% of the case load in District Court. To put this into real numbers, about 6,500 family law cases each year come to court with no attorney. So other cases must wait while the judge and court staff work with a party that does not understand court procedure; does not know the correct forms or papers that must be filed; does not know the appropriate questions to ask a witness or what information the judge needs to decide that case.

With a staggering number of cases each year, we must recognize this situation as one reason, if not the biggest cause, for delay in our system. Court help is designed to assist individual Montana citizens with court service areas, places where you can get proper forms and assistance with the court process without unnecessary expense. The Judicial Branch's website receives 5,000 hits a month on the posted legal forms. Not all legal matters need attorneys. There are many ways we can simplify the process and provide people with helpful solutions. In a recent survey, an overwhelming majority of the users of the service indicated that they now understand their legal rights and were more prepared to handle their legal situation. Our Judges agree this program does significantly increase judicial efficiency and it does reduce court backlog. Incidentally, the Court Self Help staff does not offer legal advice.

Last biennium, the Self Help centers had over 26,000 contracts with individuals and small businesses, helping them navigate through the complexity of our court system. Statewide, we do this primarily with volunteers who are recruited and trained by the limited staff that we have. Because of our tiny budget, we leverage staff with volunteer labor, often AmeriCorps volunteers. This program operates in urban and rural counties throughout Montana.

The way our citizens approach the court system is changing dramatically; clearly our courts must adapt to these changing times. (In that regard, I would like to thank Senators Ripley and Swandal, and Representative Hunter, for serving as members of our Access to Justice Commission.)

There is another area where decline in family and personal responsibility has a tremendous impact on our courts, to say nothing of the devastating influences on the young children involved. When children are seriously abused or neglected, law enforcement and state social workers are often called to intervene, called most often by doctors or teachers or other family members. Sometimes, when the parents are unable, or simply will not take the responsibility to raise their children without abusing them, courts become involved. In all cases, these parents are provided with the tools and resources they need to be able to become capable parents. When these efforts fail, and by law

HOUSE JOURNAL  
NINTH LEGISLATIVE DAY - JANUARY 15, 2015

the State is required to make every possible effort to keep these families united, the State is compelled to ask the courts to terminate the parental rights and allow these children to be permanently placed with caring, loving families.

In 2009, our Court had 36 cases where parents appealed a decision of the District Court to terminate the parental rights to their children. Last year, after increasing exponentially each year, we decided 81 cases where the District Courts permanently terminated parental rights to children, a 125% increase. In the same period of time, the District Courts went from 1,006 abuse and neglect cases being filed, to 1,609-a 60% increase. As you can imagine, all of these cases present tragic and sad circumstances. They also are time consuming and costly. And, by law, they must be given priority by the courts, so other cases get pushed back further in the queue.

Drug Courts and Treatment Courts have proven to be very successful in reuniting these families. Drug courts can and do save taxpayer dollars. Fortunately, during the last three sessions, Legislators had the foresight to fund a small portion of these courts. Not long ago 50% of the children in foster care were there because of their parents' use of drugs, methamphetamine in particular. I suspect the number is higher now. An incredibly high percentage, up to 90%, of prison inmates (both male and female) are incarcerated with chemical dependency problems, as many as half for meth. And, of course, many of our prisoners have severe mental illness issues.

All of these social problems cause a tremendous drain on state and local government budgets. This is why governors across the country are proposing increased funding for drug courts, as a cost saving measure.

Treatment Courts divert some of these people to less expensive and more effective alternatives.

- They can keep kids out of Pine Hills or even more expensive out of state placements.
- They divert new commitments from our prisons to less expensive alternatives in the community.
- They help our veterans repair their shattered lives and return to their families and communities.
- Drug courts reunite broken families and turn participants into productive members of society.

On October 31, Montana had 535 active participants in a Drug Court program. We have studies that demonstrate the success of Montana's Drug Courts. Some of the highlights include:

- Recidivism rates are lower-most Drug Court graduates do not commit new offenses.
- Unemployment among Drug Court participants fell by 90%.
- In the 78 months that the Branch has been collecting data,
- 61 babies were born while the mother was in Drug Court, and 57 of them were born drug free, a tremendous decrease in human suffering, and an immense saving of taxpayer dollars.
- As of September 30th, there were 12 pregnant women in Drug Court-women who are receiving treatment and are subject to routine drug testing to remain drug free.

HOUSE JOURNAL  
NINTH LEGISLATIVE DAY - JANUARY 15, 2015

We have 24 active Drug Court dockets in Montana. Three of those are dedicated to our returning veterans that are having problems with readjustment to civilian life. These programs are very difficult to complete. Drug Courts don't take easy clients, these people are chemically addicted and have likely never functioned as a productive member of society. Treatment Courts are a strain on judges' time and energy. However, they are very rewarding as well. They do see good things happen in a courtroom, not a common occurrence in our courts. Nationally, it has been proven that Treatment Courts are by far the most effective thing we can do to address drug abuse and the social and crime related problems that go with it.

Judges in Montana are committed to addressing the problems in their communities, problems they see every day.

The Judicial Branch has only 429 employees. We are a group that is dedicated and committed to our mission; most are even passionate about the purposes and role of the rule law in our society. They understand that the hallmark of a flourishing democracy is an adequately funded judiciary that can settle people's disputes in an orderly fashion. Only in that way can the economy move forward and our citizens prosper.

Our modest proposals will help to ensure that the small business owner, the woman injured through no fault of her own, the rancher seeking legal rights to his water, the defendant wrongly accused, and the child crying in their crib get the opportunity to resolve their crises. We also hope that by making the court system more efficient and responsive to the public's needs, we can avoid coming to you in a future session asking for more Judges, something I do not want to do.

An independent, adequately funded judiciary is the key to constitutional democracy.

As I have said before, WITHOUT COURTS, THERE IS NO JUSTICE. WITHOUT JUSTICE, THERE IS NO FREEDOM.

Thank you again for inviting me to speak with you today.

President Barrett thanked Chief Justice McGrath and directed the committee of four to escort Chief Justice McGrath from the Joint Session.

Senate Majority Leader Rosendale moved that the Joint Session of the 64th Legislature be adjourned. Motion carried.

The House reconvened.

**BILLS** (Welborn, Chair):

1/15/2015

Correctly printed: **HB 31, HB 38, HB 46, HB 49, HB 50, HB 57, HB 66, HB 81, HB 110.**

Correctly engrossed: **HB 79, HB 95, HB 147, HB 163.**

Transmitted to the Senate: **HB 61, HB 90.**

HOUSE JOURNAL  
NINTH LEGISLATIVE DAY - JANUARY 15, 2015

**REPORTS OF STANDING COMMITTEES**

**EDUCATION** (Laszloffy, Chair):

1/14/2015

**HB 31**, do pass. Report adopted.

**HB 163**, introduced bill, be amended as follows:

1. Title, page 1, line 6.

**Following:** "OF"

**Insert:** "PUBLIC"

2. Page 1, line 12.

**Following:** "membership of"

**Insert:** "public"

And, as amended, do pass. Report adopted.

**HUMAN SERVICES** (Wittich, Chair):

1/14/2015

**HB 147**, introduced bill, be amended as follows:

1. Page 7, line 12 through line 16.

**Strike:** line 12 through line 16

2. Page 7, line 17.

**Strike:** "X"

**Insert:** "IX"

3. Page 7, line 29.

**Strike:** "XI"

**Insert:** "X"

And, as amended, do pass. Report adopted.

**NATURAL RESOURCES** (White, Chair):

1/14/2015

**HB 46**, do pass. Report adopted.

**HB 49**, do pass. Report adopted.

**BUSINESS AND LABOR** (Berry, Chair):

1/15/2015

**HB 38**, do pass. Report adopted.

**HB 50**, do pass. Report adopted.

**HB 57**, do pass. Report adopted.

**HB 66**, do pass. Report adopted.



HOUSE JOURNAL  
NINTH LEGISLATIVE DAY - JANUARY 15, 2015

**HB 79**, introduced bill, be amended as follows:

1. Title, page 1, line 5.

**Strike:** "APPRENTICESHIP" through "PREAPPRENTICESHIP" on line 5

2. Title, page 1, line 6.

**Strike:** "; EXEMPTING" on line 6

**Insert:** "RELATED TO APPRENTICESHIPS AND"

3. Title, page 1, line 7 through line 8.

**Strike:** "FROM LICENSURE AND" on line 7 through "PLUMBERS" on line 8

4. Page 2, lines 13 through 14.

**Following:** "enrolled in"

**Strike:** "a" on line 13 through "preapprenticeship" on line 14

**Insert:** "an"

5. Page 3, line 28.

**Strike:** "preapprenticeship"

And, as amended, do pass. Report adopted.

**HB 81**, do pass. Report adopted.

**HB 95**, introduced bill, be amended as follows:

1. Page 8, line 11.

**Strike:** "and approved by"

**Insert:** "with"

2. Page 9, line 27.

**Strike:** "subsection (4)"

**Insert:** "[section 5(4)]"

And, as amended, do pass. Report adopted.

**HB 110**, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**Senate bills** passed and transmitted to the House for concurrence:

1/14/2015

**SB 11**, introduced by Keane

**SB 15**, introduced by Swandal

**SB 46**, introduced by Pomnichowski

HOUSE JOURNAL  
NINTH LEGISLATIVE DAY - JANUARY 15, 2015

**Senate joint resolution** passed and transmitted to the House for concurrence: 1/14/2015

**SJR 1**, introduced by Rosendale

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 223**, introduced by C. Clark, referred to Business and Labor.

**HB 224**, introduced by Z. Perry, referred to Local Government.

**HB 225**, introduced by V. Ricci, referred to Business and Labor.

**HB 226**, introduced by T. Richmond, referred to Federal Relations, Energy, and Telecommunications.

**HB 227**, introduced by K. Dudik, referred to Judiciary.

**HB 228**, introduced by T. Berry, G. Custer, R. Peppers, T. Richmond, D. Ankney, T. Brown, referred to Taxation.

**HB 229**, introduced by D. Zolnikov, G. Bennett, A. Doane, M. Miller, D. Mortensen, referred to Transportation.

**HB 230**, introduced by D. Zolnikov, R. Webb, referred to Federal Relations, Energy, and Telecommunications.

**HB 231**, introduced by P. Noonan, referred to State Administration.

**HB 232**, introduced by K. Dudik, referred to Judiciary.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion Carried. Representative D. Jones in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 64** - Representative Webber moved **HB 64** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner,

HOUSE JOURNAL  
NINTH LEGISLATIVE DAY - JANUARY 15, 2015

Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 98

Nays: B. Brown, Cook.  
Total 2

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 91** - Representative Clark moved **HB 91** do pass. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 94

Nays: Ballance, Cook, Schwaderer, Welborn, Wittich.  
Total 5

Excused: None.  
Total 0

Absent or not voting: Hagstrom.  
Total 1

**HB 105** - Representative Woods moved **HB 105** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berry, B. Brown, Z. Brown, Burnett, Clark, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner,

HOUSE JOURNAL  
NINTH LEGISLATIVE DAY - JANUARY 15, 2015

Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 87

Nays: Berglee, Brodehl, Cook, Cuffe, Fitzpatrick, Glimm, Hess, Lamm, Lavin, Miller, Schwaderer, Wittich, Zolnikov.

Total 13

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 108** - Representative Salomon moved **HB 108** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: B. Brown, Cook, Glimm, Schwaderer, Tropila, Wittich.

Total 6

Excused: None.

Total 0

Absent or not voting: Hayman.

Total 1

**HB 136** - Representative Eck moved **HB 136** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski,

HOUSE JOURNAL  
NINTH LEGISLATIVE DAY - JANUARY 15, 2015

Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.  
Total 91

Nays: Berry, Burnett, Cook, Glimm, Miller, Schwaderer, Staffanson, Tschida, Zolnikov.  
Total 9

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 143** - Representative McConnell moved **HB 143** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 94

Nays: Cook, Fitzpatrick, Lavin, Mortensen, Noland, Welborn.  
Total 6

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Majority Leader Regier moved the committee rise and report. Motion Carried. Committee arose. House resumed. Mr. Speaker presiding. Chair D. Jones moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey,

HOUSE JOURNAL  
NINTH LEGISLATIVE DAY - JANUARY 15, 2015

Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: None.

Total 0

Excused: Brodehl, Kelker, Lamm.

Total 3

Absent or not voting: Olsen.

Total 1

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 61** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Woods, Zolnikov, Mr. Speaker.

Total 88

Nays: J. Bennett, B. Brown, Hayman, MacDonald, Williams, Wilson, Wittich.

Total 7

Excused: Brodehl, Kelker, Lamm.

Total 3

Absent or not voting: Manzella, Welborn.

Total 2

HOUSE JOURNAL  
NINTH LEGISLATIVE DAY - JANUARY 15, 2015

**HB 90** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 88

Nays: J. Bennett, B. Brown, Glimm, Hess, Mortensen, Schwaderer, Tschida, Welborn, Wittich.

Total 9

Excused: Brodehl, Kelker, Lamm.

Total 3

Absent or not voting: None.

Total 0

**UNFINISHED BUSINESS**

Mr. Speaker, I move that the following undersigned names be **ADDED** as sponsors to **HB 132**  
Motion Carried.

**HB 132** (F. Garner, Chief Sponsor)

B. Bennett, Brodehl, Curdy, Lavin, McConnell, Olszewski, Richmond, and Steenberg.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Friday, January 16, 2015.  
Motion carried.

House adjourned at 2:05 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
TENTH LEGISLATIVE DAY**

Helena, Montana  
January 16, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Olszewski. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Fiscus, Lamm, Kelker, excused. Quorum present.

**BILLS** (Welborn, Chair): 1/16/2015

Correctly printed: **HB 65, HB 100, HB 125, HB 141.**  
Correctly engrossed: **HB 74.**

**REPORTS OF STANDING COMMITTEES**

**LOCAL GOVERNMENT** (Greef, Chair): 1/15/2015  
**HB 65**, do pass. Report adopted.

**JUDICIARY** (Bennett, Chair): 1/16/2015  
**HB 74**, introduced bill, be amended as follows:

1. Title, page 1, line 6.

**Following:** "GENERAL"

**Insert:** "AND INSURANCE COMMISSIONER"

2. Title, page 1, line 7.

**Following:** "SECTIONS" on line 7

**Insert:** "2-6-501,"

3. Page 1, line 11 through page 6, line 18.

**Strike:** everything after the enacting clause

**Insert:** "**Section 1.** Section 2-6-501, MCA, is amended to read:

**"2-6-501. Definitions.** For the purposes of this part, the following definitions apply:

(1) "Breach of the security of a data system" or "breach" means unauthorized acquisition of computerized data that:

(a) materially compromises the security, confidentiality, or integrity of the personal information maintained by a state agency or by a third party on behalf of the state agency; and

(b) causes or is reasonably believed to cause loss or injury to a person.

(2) "Individual" means a human being.

(3) "Person" means an individual, a partnership, a corporation, an association, or a public organization of any character.

(4) (a) "Personal information" means a first name or first initial and last name in combination with any one or more of the following data elements when the name and the data



HOUSE JOURNAL  
TENTH LEGISLATIVE DAY - JANUARY 16, 2015

elements are not encrypted:

- (i) a social security number ~~or tax identification number~~;
- (ii) a driver's license number, an identification number issued pursuant to 61-12-501, a tribal identification number or enrollment number, or a similar identification number issued by any state, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, or American Samoa; ~~or~~
- (iii) an account number, ~~or credit or debit card number, in combination with any required security code, access code, or password that would permit access to a person's financial account;~~
- (iv) medical record information as defined in 33-19-104;
- (v) a taxpayer identification number; or
- (vi) an identity protection personal identification number issued by the United States internal revenue service.

(b) The term does not include publicly available information that is lawfully made available to the general public from federal, state, local, or tribal government records.

(5) "Redaction" means the alteration of personal information contained within data to make all or a significant part of the data unreadable. The term includes truncation, which means that no more than the last four digits of an identification number are accessible as part of the data.

(6) (a) "State agency" means an agency, authority, board, bureau, college, commission, committee, council, department, hospital, institution, office, university, or other instrumentality of the legislative or executive branch of state government. The term includes an employee of a state agency acting within the course and scope of employment.

(b) The term does not include an entity of the judicial branch.

(7) "Third party" means:

(a) a person with a contractual obligation to perform a function for a state agency; or

(b) a state agency with a contractual or other obligation to perform a function for another state agency."

**Insert: "Section 2.** Section 2-6-504, MCA, is amended to read:

**"2-6-504. Notification of breach of security of data system.** (1) (a) Upon discovery or notification of a breach of the security of a data system, a state agency that maintains computerized data containing personal information in the data system shall make reasonable efforts to notify any person whose unencrypted personal information was or is reasonably believed to have been acquired by an unauthorized person.

(b) The notification must be made without unreasonable delay, consistent with the legitimate needs of law enforcement as provided in subsection (3) or with any measures necessary to determine the scope of the breach and to restore the reasonable integrity of the data system.

(2) (a) A third party that receives personal information from a state agency and maintains that information in a computerized data system in order to perform a state agency function shall:

(i) notify the state agency immediately following discovery of the breach of the security of a data system if the personal information is reasonably believed to have been acquired by an unauthorized person; and

(ii) make reasonable efforts upon discovery or notification of a breach of the security of a data system to notify any person whose unencrypted personal information is reasonably believed to have been acquired by an unauthorized person as part of the breach of the security of a data system. This notification must be provided in the same manner as the notification required in subsection (1).

HOUSE JOURNAL  
TENTH LEGISLATIVE DAY - JANUARY 16, 2015

(b) A state agency notified of a breach by a third party has no independent duty to provide notification of the breach if the third party has provided notification of the breach in the manner required by subsection (2)(a) but shall provide notification if the third party fails to do so in a reasonable time and may recover from the third party its reasonable costs for providing the notice.

(3) The notification required by this section may be delayed if a law enforcement agency determines that the notification will impede a criminal investigation and requests a delay of notification. The notification required by this section must be made after the law enforcement agency determines that the notification will not compromise the investigation.

(4) All state agencies and third parties to whom personal information is disclosed by a state agency shall develop and maintain:

(a) an information security policy designed to safeguard personal information; and

(b) breach notification procedures that provide reasonable notice to individuals as provided in subsections (1) and (2).

(5) A state agency that is required to issue a notification pursuant to this section shall simultaneously submit an electronic copy of the notification and a statement providing the date and method of distribution of the notification to the attorney general's consumer protection office, excluding any information that personally identifies any individual who is entitled to receive notification. If a notification is made to more than one individual, a single copy of the notification must be submitted that indicates the number of individuals in the state who received notification."

**Insert: "Section 3.** Section 30-14-1704, MCA, is amended to read:

**"30-14-1704. Computer security breach.** (1) Any person or business that conducts business in Montana and that owns or licenses computerized data that includes personal information shall disclose any breach of the security of the data system following discovery or notification of the breach to any resident of Montana whose unencrypted personal information was or is reasonably believed to have been acquired by an unauthorized person. The disclosure must be made without unreasonable delay, consistent with the legitimate needs of law enforcement, as provided in subsection (3), or consistent with any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system.

(2) Any person or business that maintains computerized data that includes personal information that the person or business does not own shall notify the owner or licensee of the information of any breach of the security of the data system immediately following discovery if the personal information was or is reasonably believed to have been acquired by an unauthorized person.

(3) The notification required by this section may be delayed if a law enforcement agency determines that the notification will impede a criminal investigation and requests a delay in notification. The notification required by this section must be made after the law enforcement agency determines that it will not compromise the investigation.

(4) For purposes of this section, the following definitions apply:

(a) "Breach of the security of the data system" means unauthorized acquisition of computerized data that materially compromises the security, confidentiality, or integrity of personal information maintained by the person or business and causes or is reasonably believed to cause loss or injury to a Montana resident. Good faith acquisition of personal information by an employee or agent of the person or business for the purposes of the person or business is not a breach of the security of the data system, provided that the personal information is not used or subject to further unauthorized disclosure.

HOUSE JOURNAL  
TENTH LEGISLATIVE DAY - JANUARY 16, 2015

(b) (i) "Personal information" means an individual's first name or first initial and last name in combination with any one or more of the following data elements, when either the name or the data elements are not encrypted:

- (A) social security number;
- (B) driver's license number, state identification card number, or tribal identification card number;
- (C) account number or credit or debit card number, ~~in combination with any required security code, access code, or password that would permit access to an individual's financial account;~~
- (D) medical record information as defined in 33-19-104;
- (E) a taxpayer identification number; or
- (F) an identity protection personal identification number issued by the United States internal revenue service.

(ii) Personal information does not include publicly available information that is lawfully made available to the general public from federal, state, or local government records.

(5) (a) For purposes of this section, notice may be provided by one of the following methods:

- (i) written notice;
  - (ii) electronic notice, if the notice provided is consistent with the provisions regarding electronic records and signatures set forth in 15 U.S.C. 7001;
  - (iii) telephonic notice; or
  - (iv) substitute notice, if the person or business demonstrates that:
    - (A) the cost of providing notice would exceed \$250,000;
    - (B) the affected class of subject persons to be notified exceeds 500,000; or
    - (C) the person or business does not have sufficient contact information.
- (b) Substitute notice must consist of the following:
- (i) an electronic mail notice when the person or business has an electronic mail address for the subject persons; and
  - (ii) conspicuous posting of the notice on the website page of the person or business if the person or business maintains one; or
  - (iii) notification to applicable local or statewide media.

(6) Notwithstanding subsection (5), a person or business that maintains its own notification procedures as part of an information security policy for the treatment of personal information and that does not unreasonably delay notice is considered to be in compliance with the notification requirements of this section if the person or business notifies subject persons in accordance with its policies in the event of a breach of security of the data system.

(7) If a business discloses a security breach to any individual pursuant to this section and gives a notice to the individual that suggests, indicates, or implies to the individual that the individual may obtain a copy of the file on the individual from a consumer credit reporting agency, the business shall coordinate with the consumer reporting agency as to the timing, content, and distribution of the notice to the individual. The coordination may not unreasonably delay the notice to the affected individuals.

(8) Any person or business that is required to issue a notification pursuant to this section shall simultaneously submit an electronic copy of the notification and a statement providing the date and method of distribution of the notification to the attorney general's consumer protection office, excluding any information that personally identifies any individual who is entitled to receive

HOUSE JOURNAL  
TENTH LEGISLATIVE DAY - JANUARY 16, 2015

notification. If a notification is made to more than one individual, a single copy of the notification must be submitted that indicates the number of individuals in the state who received notification."

**Insert: "Section 4.** Section 33-19-321, MCA, is amended to read:

**"33-19-321. Computer security breach.** (1) Any licensee or insurance-support organization that conducts business in Montana and that owns or licenses computerized data that includes personal information shall provide notice of any breach of the security of the system following discovery or notice of the breach of the security of the system to any individual whose unencrypted personal information was or is reasonably believed to have been acquired by an unauthorized person. The notice must be made without unreasonable delay, consistent with the legitimate needs of law enforcement, as provided in subsection (3), or consistent with any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system.

(2) Any person to whom personal information is disclosed in order for the person to perform an insurance function pursuant to this part that maintains computerized data that includes personal information shall notify the licensee or insurance-support organization of any breach of the security of the system in which the data is maintained immediately following discovery of the breach of the security of the system if the personal information was or is reasonably believed to have been acquired by an unauthorized person.

(3) The notice required by this section may be delayed if a law enforcement agency determines that the notice will impede a criminal investigation and requests a delay of notice. The notice required by this section must be made after the law enforcement agency determines that the notice will not compromise the investigation.

(4) Licensees, insurance-support organizations, and persons to whom personal information is disclosed pursuant to this part shall develop and maintain an information security policy for the safeguarding of personal information and security breach notice procedures that provide expedient notice to individuals as provided in subsection (1).

(5) Any licensee or insurance-support organization that is required to issue a notification pursuant to this section shall simultaneously submit an electronic copy of the notification and a statement providing the date and method of distribution of the notification to the commissioner, excluding any information that personally identifies any individual who is entitled to receive notification. If a notification is made to more than one individual, a single copy of the notification must be submitted that indicates the number of individuals in the state who received notification.

~~(5)~~(6) For purposes of this section, the following definitions apply:

(a) "Breach of the security of the system" means unauthorized acquisition of computerized data that compromises the security, confidentiality, or integrity of personal information maintained by a licensee, insurance-support organization, or person to whom information is disclosed pursuant to this part. Acquisition of personal information by a licensee, insurance-support organization, or employee or agent of a person as authorized pursuant to this part is not a breach of the security of the system.

(b) (i) "Personal information" means an individual's first name or first initial and last name in combination with any one or more of the following data elements, when the name and the data elements are not encrypted:

(A) social security number;

(B) driver's license number, state identification card number, or tribal identification card number;

HOUSE JOURNAL  
TENTH LEGISLATIVE DAY - JANUARY 16, 2015

(C) account number, ~~or credit or debit card number, in combination with any required security code, access code, or password that would permit access to an individual's financial account;~~

(D) medical record information;

(E) a taxpayer identification number; or

(F) an identity protection personal identification number issued by the United States internal revenue service.

(ii) Personal information does not include publicly available information that is lawfully made available to the general public from federal, state, or local government records.""

And, as amended, do pass. Report adopted.

**HB 100**, do pass. Report adopted.

**HB 141**, do pass. Report adopted.

**STATE ADMINISTRATION** (Essmann, Chair):

1/16/2015

**HB 125**, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**Senate bills** passed and transmitted to the House for concurrence:

1/15/2015

**SB 1**, introduced by Kary

**SB 27**, introduced by D. Brown

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 234**, introduced by N. Ballance, C. Glimm, R. Webb, K. White, referred to Appropriations.

**HB 235**, introduced by R. Lynch, D. Ankney, G. Bennett, E. Buttrey, M. Caferro, C. Clark, P. Connell, V. Court, M. Cuffe, K. Dudik, D. Hayman, T. Jacobson, J. Keane, M. Lang, S. Laszloffy, S. Lavin, F. Mandeville, K. McCarthy, E. McClafferty, R. Mehlhoff, M. Noland, P. Noonan, L. Randall, A. Redfield, V. Ricci, T. Richmond, D. Salomon, C. Schreiner, J. Sesso, R. Shaw, T. Steenberg, K. Swanson, C. Vincent, G. Vuckovich, J. Welborn, referred to Taxation.

**HB 236**, introduced by M. Dunwell, B. Bennett, K. McCarthy, C. Pope, J. Price, D. Zolnikov, referred to State Administration.

**HB 237**, introduced by A. Olszewski, F. Garner, W. McKamey, J. Taylor, referred to Human Services.

**HB 238**, introduced by A. Olszewski, referred to Human Services.

**HB 239**, introduced by J. Essmann, L. Jones, referred to Natural Resources.

HOUSE JOURNAL  
TENTH LEGISLATIVE DAY - JANUARY 16, 2015

The following House joint resolution was introduced, read first time, and referred to committee:

**HJR 5**, introduced by C. Fiscus, S. Hess, D. Jones, D. Mortensen, V. Ricci, B. Tschida, K. Wagoner, K. White, D. Zolnikov, R. Webb, referred to Natural Resources.

The following Senate joint resolution was introduced, read first time, and referred to committee:

**SJR 1**, introduced by M. Rosendale, referred to Rules.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion Carried. Representative Jacobson in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 32** - Representative Wagoner moved **HB 32** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 38** - Representative Schreiner moved **HB 38** do pass.

HOUSE JOURNAL  
TENTH LEGISLATIVE DAY - JANUARY 16, 2015

**HB 38** - Representative Staffanson moved **HB 38**, second reading copy, be amended as follows:

1. Title, page 1, line 9.

**Strike:** "AMENDING LIVE" through "REQUIREMENTS;"

2. Title, page 1, line 10.

**Strike:** "23-5-112,"

**Strike:** "23-5-306,"

3. Page 1, line 15 through page 6, line 29.

**Strike:** section 1 in its entirety

**Renumber:** subsequent sections

4. Page 8, line 8 through page 9, line 7.

**Strike:** section 5 in its entirety

**Renumber:** subsequent sections

5. Page 9, line 25.

**Strike:** "2"

**Insert:** "1"

6. Page 9, line 26.

**Strike:** "6"

**Insert:** "4"

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Cook, Cuffe, Custer, Doane, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Harris, Hertz, Hess, Hollandsworth, Holmlund, Kipp III, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Meyers, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Randall, Redfield, Regier, Ricci, Staffanson, Tschida, White, Wittich, Zolnikov, Mr. Speaker.

Total 43

Nays: B. Bennett, Berry, Z. Brown, Burnett, Clark, Court, Curdy, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Funk, Greef, Hagstrom, Hayman, Hill, Hunter, Jacobson, Jones, Karjala, Kelker, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Woods.

Total 57

Excused: None.

Total 0

HOUSE JOURNAL  
TENTH LEGISLATIVE DAY - JANUARY 16, 2015

Absent or not voting: None.

Total 0

**HB 38** - Representative Staffanson moved **HB 38**, second reading copy, be amended as follows:

1. Title, page 1, line 7, through line 8.

**Strike:** "AUTHORIZING THE" on line 7 through "PERMIT FEE;" on line 8

2. Title, page 1, line 10.

**Strike:** "23-5-222,"

3. Page 8, line 2 through line 6.

**Strike:** section 4 in its entirety

**Renumber:** subsequent sections

4. Page 9, line 26.

**Strike:** "6"

**Insert:** "5"

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Doane, Fiscus, Flynn, Glimm, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Kipp III, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Schwaderer, Staffanson, Wittich, Zolnikov, Mr. Speaker.

Total 39

Nays: B. Bennett, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Funk, Garner, Greef, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods.

Total 60

Excused: None.

Total 0

Absent or not voting: Swanson.

Total 1



HOUSE JOURNAL  
TENTH LEGISLATIVE DAY - JANUARY 16, 2015

**HB 38** - Representative Schreiner moved **HB 38** do pass. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Court, Curdy, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Funk, Garner, Greef, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Lang, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Richmond, Salomon, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 52

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Custer, Doane, Fiscus, Fitzpatrick, Flynn, Glimm, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Kipp III, Lamm, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Randall, Redfield, Regier, Ricci, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 48

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 46** - Representative Tropila moved **HB 46** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Funk, Greef, Hagstrom, Hayman, Hertz, Hill, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lang, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Regier, Ricci, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, White, Williams, Wilson, Woods, Mr. Speaker.

Total 68

Nays: J. Bennett, Berglee, B. Brown, Doane, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Harris, Hess, Hollandsworth, Jones, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Mortensen, Noland, Pinocci, Randall, Redfield, Richmond, Staffanson, Tschida, Wagoner, Welborn, Wittich, Zolnikov.

Total 32

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
TENTH LEGISLATIVE DAY - JANUARY 16, 2015

**HB 49** - Representative Perry moved **HB 49** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 95

Nays: Doane, Glimm, Miller, Wittich, Zolnikov.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 75** - Representative Hess moved **HB 75** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 91

Nays: J. Bennett, Burnett, Glimm, Hagstrom, Lamm, Laszloffy, Miller, Wittich, Zolnikov.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
TENTH LEGISLATIVE DAY - JANUARY 16, 2015

**HB 81** - Representative Lynch moved **HB 81** do pass. Motion carried as follows:

Yeas: B. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 92

Nays: Ballance, J. Bennett, Fitzpatrick, Flynn, Hertz, Hess, Lamm, Welborn.  
Total 8

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 110** - Representative Holmlund moved **HB 110** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 92

Nays: J. Bennett, Cuffe, Essmann, Fitzpatrick, Hertz, Lamm, Welborn, Wittich.  
Total 8

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
TENTH LEGISLATIVE DAY - JANUARY 16, 2015

**HB 134** - Representative Eck moved **HB 134** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 98

Nays: Berry, Glimm.  
Total 2

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 147** - Representative Wittich moved **HB 147** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jones, Karjala, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McCarthy, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 54

Nays: B. Bennett, Berry, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hunter, Jacobson, Kelker, Kipp III, Lieser, Lynch, MacDonald, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 46

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
TENTH LEGISLATIVE DAY - JANUARY 16, 2015

Majority Leader Regier moved the committee rise and report. Motion Carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Jacobson moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Zolnikov, Mr. Speaker.

Total 94

Nays: Pierson, Woods.

Total 2

Excused: Fiscus, Kelker, Lamm.

Total 3

Absent or not voting: Hagstrom.

Total 1

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 64** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: B. Brown, Cook, Fitzpatrick, Manzella, Wittich.

Total 5

HOUSE JOURNAL  
TENTH LEGISLATIVE DAY - JANUARY 16, 2015

Excused: Fiscus, Kelker, Lamm.

Total 3

Absent or not voting: None.

Total 0

**HB 91** passed as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 88

Nays: Ballance, B. Brown, Cook, Fitzpatrick, Hess, Manzella, Schwaderer, Welborn, Wittich.

Total 9

Excused: Fiscus, Kelker, Lamm.

Total 3

Absent or not voting: None.

Total 0

**HB 105** passed as follows:

Yeas: Ballance, B. Bennett, Berry, B. Brown, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kipp III, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Woods, Mr. Speaker.

Total 83

Nays: J. Bennett, Berglee, Brodehl, Cook, Fitzpatrick, Glimm, Hess, Lavin, Manzella, Miller, Schwaderer, Welborn, Wittich, Zolnikov.

Total 14

HOUSE JOURNAL  
TENTH LEGISLATIVE DAY - JANUARY 16, 2015

Excused: Fiscus, Kelker, Lamm.

Total 3

Absent or not voting: None.

Total 0

**HB 108** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 85

Nays: J. Bennett, B. Brown, Cook, Essmann, Fitzpatrick, Glimm, Hertz, Karjala, McKamey, Schwaderer, Tropila, Wittich.

Total 12

Excused: Fiscus, Kelker, Lamm.

Total 3

Absent or not voting: None.

Total 0

**HB 136** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Woods, Mr. Speaker.

Total 85

Nays: Berry, B. Brown, Burnett, Cook, Fitzpatrick, Glimm, Hess, Miller, Staffanson, Welborn, Wittich, Zolnikov.

Total 12

HOUSE JOURNAL  
TENTH LEGISLATIVE DAY - JANUARY 16, 2015

Excused: Fiscus, Kelker, Lamm.

Total 3

Absent or not voting: None.

Total 0

**HB 143** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kipp III, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Fitzpatrick, Lavin, Mortensen.

Total 3

Excused: Fiscus, Kelker, Lamm.

Total 3

Absent or not voting: None.

Total 0

Minority Leader Hunter rose on a **Point of Personal Privilege**. He queried Representative Wittich and Representative Ehli on whether subpoenas had been issued to compel state employees from the Department of Health and Human Services to appear at their committees and whether or not the Director of Health and Human Services had been given time to respond to their requests for assistance prior to the subpoenas being issued. Minority Leader Hunter commented that the House has a long standing method for getting information: a simple request for information is made and it is his experience that the requested information is freely given, even when the information is problematic. That process has been successful in the past. Use of a subpoena is quite different and it seems like excessive use of authority. Speaker Knudsen responded that both the rules of the House and the Montana Code Annotated allows for the use of subpoenas.

**SPECIAL ORDERS OF THE DAY**

Representative Brodehl thanked the pages for their service.



HOUSE JOURNAL  
TENTH LEGISLATIVE DAY - JANUARY 16, 2015

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Monday, January 19, 2015. Motion carried.

House adjourned at 2:25 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
ELEVENTH LEGISLATIVE DAY**

Helena, Montana  
January 19, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Hill and Representative Laszloffy. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

**MOTIONS**

Majority Leader Regier moved the House recess for the purpose of receiving an address by the Honorable Senator from the State of Montana, Jon Tester. Upon Adjournment of the Joint Session, the House will reconvene. Motion carried.

House in Recess.

Sergeant-at-Arms Lenz notified Speaker Knudsen that the Honorable Senate of the State of Montana was awaiting entrance to the Chamber.

Speaker Knudsen requested Sergeant-at-Arms Lenz admit the Honorable Senate into the House Chambers.

Speaker Knudsen introduced Senate President Barrett.

Senate Majority Leader Rosendale introduced Victoria Valentine, Miss Montana, 2014, who sang the National Anthem.

Senate Majority Leader Rosendale moved that the body resolve itself into a joint session for the purpose of receiving an address from the Honorable Senator from the State of Montana Jon Tester. Motion carried.

Senate Majority Leader Rosendale moved that President Barrett be authorized to appoint a committee of four to notify Senator Tester that the body was in joint session and ready to receive his address. Motion carried.

President Barrett appointed Senator Ankney, Senator Malek, Representative Lavin, and Representative McCarthy to escort Senator Tester into the House Chambers.

Sergeant-at-Arms Spencer announced that the Honorable Senator Jon Tester, was awaiting entrance to the House.

The Committee escorted Senator Tester into the Chambers.

President Barrett introduced Senator Tester to the Joint Session.

HOUSE JOURNAL  
ELEVENTH LEGISLATIVE DAY - JANUARY 19, 2015

Senator Tester gave the following remarks:

Thank you guys, thank you guys. Thank you, thank you all. Thank you all very, very much. It is indeed great to be here today. I want to thank you Madam President Debby Barrett, Speaker of the House Austin Knudsen, Minority Leaders Jon Sesso and Chuck Hunter, the entire delegation from the Montana Senate, the entire delegation from the Montana House, statewide officials: thank you all for being here. My family, especially my wife Sharla, thank you for being here.

I will tell you one thing. I would introduce my kids but grandkids are much more fun. If we'd have known that they'd be this much fun we'd have skipped the kids. So we want to introduce Kilikina and Brayden and Tucker and Dallin and Abbey. Thank you all for being here today.

It is great to be back home, back home in the Montana Legislature. The last time I was in this body as a State Senator was ten years ago. And during my time in the State Legislature during those eight years I learned a lot: like caring for folks with disabilities and mental illness from a chap by the name of Senator John Cobb. I learned about educational funding and the intricacies of it from my seatmate then, Spook Stang. I learned about election reform from a fellow by the name of Fred Thomas. I learned about the challenges of the poor and the elderly from Senator Eve Franklin.

And I remember sitting in a joint session, just like this, listening to Montana's Congressional delegation speak one by one. I remember wanting to hear ideas about how the state and the federal government could work in concert to move Montana forward. And that is why I'm here today: to talk about where we've been, where we're at today and how we can work together at the state and federal levels.

I want to step back in time just for a moment. I wanna step back to September of 2008 when I was in the US Senate and the Secretary of Treasury called and told us in a conference call that we were then, in September of 2008, on the cusp of an economic meltdown. Now this was a big surprise, because nobody saw it coming. A few months later, in January of 2009, this country was losing more than 800,000 jobs a month. During that year of 2009 there were more than one million foreclosures. Yes, we were indeed on the verge of an economic meltdown.

So in February of 2009 Congress acted, and they acted by passing a very controversial bill. Many of you remember it was called the American Recovery and Reinvestment Act. We invested in highways, water systems, public lands. We passed tax incentives for education, energy and housing. We strengthened the social safety net like unemployment insurance. And as of last month, December of 2014, some five years later, the economy is now adding more than 250,000 jobs a month. Unemployment rate in this state is at 4.3%, much less than the national average. Gas prices, depending if you're buying or selling, this is a good deal, are less than two bucks a gallon. Housing mortgage rates around the country are 3.8% and you can buy a new car in some places with an interest rate of less than 2%. And in 2014 foreclosures were down nearly 70% from those in 2009. Yes, our economy is growing, growing like we've not seen it for years, but there is more work to do, more work to do to increase the prosperity for working families and for small businesses.

With all the good signs in this robust economy, there are some troubling signs. As a group,

HOUSE JOURNAL  
ELEVENTH LEGISLATIVE DAY - JANUARY 19, 2015

individuals with less than a college degree are losing net worth. Manufacturing jobs are 7% below the median wage for all other occupations. And that is why at a federal and state level we need to focus on the policies that empower the middle class: create good paying jobs. Because during my lifetime the middle class of this great country has been the envy of the world.

So how do we do it? I think we do it by investing in three basic areas: Infrastructure, Research and Development, and Public Education.

Our investment in infrastructure is less than 2% of this nation's GDP, less than 2%. In fact, some figures suggest that we spent less than six-tenths of 1% on infrastructure during this last year. To put that in perspective, China is spending nearly 10% of their GDP on infrastructure.

But it's not about who spends the most money or who spends the most of their GDP - it's about who's gonna be able to compete in this global economy we all live. It's about who is going to enable future generations to have a 21st century economy. Report after report after report have told us about our roads and our bridges being in disrepair. It should be a sign for the folks in Washington DC as our Highway Bill expires in May of this year. At the federal level we need to pass--we need to pass a long term highway bill. A bill that's viable for 6 years in duration, and that is paid for. And, why? Well, the answer's obvious in a state like Montana, a rural state, where we have few people per square mile but yet thousands of miles of roads. We have a state where agriculture is still our number one industry. We have a state where a functional highway bill and a functional highway system will bring businesses together to be able to market their goods inside and outside the state. So that Montana families can stay connected.

I think back some 20 years ago when I took a little trip up into southern Saskatchewan to get some seed. I jumped in my truck, we hauled up there, we crossed the border, we got on the highways and I was literally bouncing off the cab of my truck. The roads, the paved roads, were that rough. They were so rough, in fact, that I moved a section line over and went to my destination on the gravel roads. Now I'm sure Saskatchewan has invested in their infrastructure, at least I hope they did. But it is time for this country, both at the state level and, quite frankly, you at the legislative level to invest in our highways and our roads and our bridges once again.

As far as Federal Aviation Administration Reauthorization, it also expires this year in September. It is time to bring our air system into the 21st century.

We need to invest in airports around this country, especially in Montana's airports. We need to develop next generation radar, basically utilizing GPS so that our planes can fly more efficiently and more effectively. We need to have some help for more of the smaller airports to be able to attract airfares. That can all be done in the Reauthorization of the FAA. And why? Why is this important to a state like Montana? Because affordable air traffic in and out of Montana would be an incredible boost to our economy. If we make these investments into our air system, it will make our air travel more efficient and hopefully in the end much more affordable so that we can get those travelers into this state.

As far as broadband goes in the infrastructure realm I would say this: there was a report that was released last week on broadband access in the United States. Montana ranked 43rd. You can say,

HOUSE JOURNAL  
ELEVENTH LEGISLATIVE DAY - JANUARY 19, 2015

"Oh jeeze that's not too good Montana ranked 43rd." Here's the real bad news: as a country, this country ranks behind Barbados. It's 24th as far as broadband access. Expanding broadband helps folks that live in rural America. That's Montana. It increases educational opportunities for students to get that 21st century education. It helps businesses do business in places around the country even though they might be located here.

Now I bring these issues up because the legislature's gonna be considering a bonding bill. The Governor's put it forth; I commend Representative Jeff Welborn for carrying it. And I would just say this, as I look at interest rates as they are today compared to where they were when I was serving in the State Senate. Interest rates are low and the return on investments is relatively healthy, I think it makes sense to bond for these projects. Investing in infrastructure will help us remain competitive in the global economy as we move the country forward by investing in research and development.

Now research and development, who thinks about that kind of stuff? Well as a nation we lead the world in research and development, but without serious public investment it will put our economy at a tremendous disadvantage, and make no mistake about it, R & D gives us incredible returns. Finding the next medical cure or innovation won't happen without public investments in R & D. Finding ways to burn the energy we have in a cleaner way or finding the next source of affordable energy won't happen without public investments in R&D. And maybe most importantly, returning our manufacturing base back to this country that was outsourced so many decades ago will not take place without public investments in R&D.

Public education: it is well documented that I, at one point of time in my life was a teacher. I know there are many former teachers in this body. My mom was a teacher, I've had aunts that were teachers, my kid's a teacher, son-in-law's a teacher. Education is the key to prosperity: it is the key to our democracy. Our democracy would not exist without an educated society. Public education brings all folks together of all ilks together to learn. Whether they're rich, whether they're poor, regardless of what their heritage, regardless of what their business: All these kids came to school and learned together. Now their parents might not have got along too well and knowing Big Sandy, south of town were the ranchers, west of town were the farmers. They didn't much care for what either one of them were doing but their kids all went to the same school. And they learned, they learned to get along. Now some in this body think that Charter schools are the answer. And I would ask you this, with charter schools how many kids will you influence positively? How many kids will you influence negatively?

Because the fact is, you pull those charter students out of the student body, those public schools, some that are small already, would become even smaller. It will impact classes inside the school and all classes of schools. So the question I have to ask is if charter schools are implemented, what impact will it have on a place like Culbertson School District? What impact will it have on a place like Beaverhead High in Dillon? One small school, one reasonably big school. If you really want to help the next generation of leaders to be competitive in this global economy, we need to value the work that our teachers do and we need to hold them accountable. You cannot expect the best of the best to go to college and get a degree in education so long as our society is paying them less than a starting manager at a Kentucky Fried Chicken.

Which, which leads me to higher ed. The state's investment in higher education has declined on

HOUSE JOURNAL  
ELEVENTH LEGISLATIVE DAY - JANUARY 19, 2015

average 20% since 1987. I was in this body for a part of that time so it's not all your fault, and it's not all-it's not any of the fault of the folks that are new here.

But I think it is time to think about what we're doing. Remember when I opened this talk up? I talked about the folks who weren't doing well in this robust economy: the folks that didn't have a higher education degree. Well, college affordability is a part of that problem. And I would say if you compared my generation, and I graduated from college in 1978, to today's generation graduating from college, one of the biggest differences is the amount of debt load that our kids are carrying. Thirty, forty, fifty thousand dollars is not uncommon. We need to make an investment in higher ed. It was said by a regent some fifteen years ago that "If you don't," a Montana regent I might add, "If you don't make the investment in education, how can you expect to ever receive the dividend?" That was true then, it is true today.

So what can you do? The Governor has a plan called Early Edge for early childhood education. I think you need to take a look at that bill. Put your finger prints on it, but in the end I would hope that you would invest in early childhood education: it will help today's youth compete in tomorrow's economy. The dividends are undeniable.

As two and four year colleges goes, we cannot afford, we cannot afford as an economy or as a society to have kids coming out of school with thirty, forty, fifty thousand dollars in debt. If it isn't paid for by us the taxpayer, it will be paid for by tuition expenses. We need a more better trained workforce, we need more entrepreneurs. And I say that in a state that has the most entrepreneurs per capita than any other state in the union. But we need more if we're going to continue to propel our economy forward.

The federal solutions are there too and we need to act at the federal level. So it doesn't go without some fingers pointing back at us. Expand Pell Grants, work to keep student loan interest rates low and fix or, my preference, repeal No Child Left Behind.

Our public education system is the key to higher wages: it is the key to bringing people out of poverty, it is the key to our democracy, it is the key to that vibrant middle class and that stronger economy that we all want.

It was about a year ago, maybe two, a fellow that ran the Federal Reserve, a guy of the name of Chairman Ben Bernanke retired.

He came in front of a group of people which I was a part of. And I asked him what his biggest concern about our economy was, assuming he would talk about our national debt which is a big concern. It's something we need to stay focused on it is something we need to reduce. And I said, "Ben, what is your biggest concern?" Knowing the debt was in the back of my mind, assuming he would talk about the debt, and here's what he said. He said, "My biggest concern is the economy of this country. We cannot leave a third world economy to our kids. And that is why we must invest in infrastructure, R & D and education. And I would hope that you would step up on these very difficult issues and do the right thing to keep our economy going in the right direction."

Now, I wanna address two other issues that I think are important to Montanans and will be dealt

HOUSE JOURNAL  
ELEVENTH LEGISLATIVE DAY - JANUARY 19, 2015

with in this legislative session. One is public lands, just the facts: Montana's public lands generate 64,000 jobs and contribute six billion, with a b, six billion dollars towards our state's economy.

There are some that want to turn federal lands over to the state. And I would tell you this: There are 30 million acres of federal lands in this state. The federal government spends an average of \$8 an acre to manage that. You can do the math but it's \$240 million.

We have a balanced budget in this state, and thank god for that. Where are you going to come up with \$240 million? Where are you going to come up with firefighting costs, money for Secure Rural Schools and Payment In Lieu of Taxes? Are we going to be able to allow grazing fees on federal lands to remain at less than \$2 an animal unit month?

It will leave only one option and that is to sell the lands that belong to the whole country, not just to Montana. And when these lands are sold, the \$6 billion economy will be gone, those 64,000 jobs will be gone, along with our favorite fishing holes, our favorite hunting drainages, our favorite hiking spots.

Look, I have my frustrations with how the federal government is managing those lands and there are solutions. There are solutions to maintain those fishing holes and those hunting drainages and those hiking and biking spots. And it's called collaboration: true, on the ground collaboration. Where folks come together of all different persuasions and compromise and determine ways to manage our federal forests better.

Now I would be remiss if I didn't talk about a little bit about the Affordable Care Act. I could talk about the--we're okay--I could stand up here and talk about the good points of the Affordable Care Act: covering pre-existing conditions, lifetime caps are done away with, 30,000 more Montanans are newly insured, seniors saving millions of dollars through the prescription drug donut hole.

Some of you opposed to that bill could talk about how it's too doggone complex, which would be correct, or how premiums and deductible have gone up way too much. And by the way, I wanna say thanks to Monica Lindeen and the Insurance Commissioner's office because--because of her good work and that office's good work Montanans have received millions of dollars back from insurance companies for unjustified premium increases.

But the facts are is that everybody in this room is Montanans who have worked together before and can work together again. We need to agree whether we want to work together to improve this act. We need to work together to see if we can make this work. Now there are things at the federal level we need to do too: like simplifying tax reporting, like improving the SHOP Marketplace for small businesses, and fixing the "family glitch." And there's more. But at the state level, what the press has been reporting on with some regularity is a thing called Medicaid Expansion.

It is a proven fact that expanding Medicaid will ensure more families have access to health care. The Medicaid Gap in this state is 70,000 people big. And it isn't about people who don't work: it's about people who do and don't make a livable wage and don't hit that \$12,000 level.

Staying in a hotel in Anaconda, Montana here not long ago and the lady who cleaned the rooms

HOUSE JOURNAL  
ELEVENTH LEGISLATIVE DAY - JANUARY 19, 2015

came out and said "I can't get healthcare." And I said, "Why not?" She said, "I don't make enough money." I said, "How much money do you make?" She says "I make just over \$11,000." If we had Medicaid expansion that hardworking woman, and she is truly a hardworking woman, would be able to have healthcare. Even more importantly-even more importantly-equally as important, if we expanded Medicare, in states that have expanded Medicaid, charity care dropped 30% saving millions of dollars for hospitals stopping the cost shifting that goes on under the old system.

We cannot go back to the broken system of the past where uninsured folks didn't have access to health care. Where a neighbor who got cancer, through no fault of his own, just was born into the wrong gene pool, got cancer and hit a lifetime cap and was faced with having to sell the farm.

Where my best friend from high school with childhood diabetes and has had to stay with the same job for the last 37 years because if he moves jobs before the Affordable Healthcare Act he couldn't keep his insurance. For those that say we cannot depend on the Federal Government to live up to this promise of Medicaid expansion, I would say: with a budget that is 45% plus federal dollars, why did you pick this one?

In closing, we have important work to do.

We have the greatest, the absolute greatest of governmental systems in the state of Montana where you all come-yea you can clap for that-where you all come together as hardworking Montanans to a place to make policy: a place where you're not paid enough to make a living so you're doing it for public service for all the right reasons. We call that a Citizen Legislature. You make the laws in this body and then you have to go back home and operate under the laws that you've made in this body. There's no better system, no state has a better system than we do in Montana. We have a set of a Citizens Legislature that is transparent. It is accessible by both the press and the public. We have a Citizen Legislature that encourages participation by our constituents and we need to keep it that way.

Because if we make our best decisions today, tomorrow we will have moved our state and nation forward in a way that will make our children proud. And that's why we're here. God bless Montana, God bless this country, and thank you all very much.

President Barrett thanked Senator Tester and directed the committee of four to escort the Senator from the Joint Session.

Senate Majority Leader Rosendale moved that the Joint Session of the 64th Legislature be adjourned. Motion carried.

The House reconvened.

**BILLS** (Welborn, Chair):

1/19/2015

Correctly printed: **HB 41, HB 112.**

Correctly engrossed: **HB 52, SJR 1.**



HOUSE JOURNAL  
ELEVENTH LEGISLATIVE DAY - JANUARY 19, 2015

Transmitted to the Senate: **HB 64, HB 91, HB 105, HB 108, HB 136, HB 143.**

**LEGISLATIVE ADMINISTRATION** (Welborn, Chair):

1/19/2015

MR. SPEAKER:

We, your committee on Legislative Administration recommend that employment of the following pages of the House be ceased as of 5:00 p.m., Friday, January 16 , 2015:

Seth Wagner, Whitefish  
Lauren Fordham, Laurel  
Trevor Raulston, Helena  
Philip Rhodes, Kila

and recommend that the following pages of the House be employed as of 1:00 p.m., Monday, January 19, 2015:

Alicia Austin, White Sulpher Springs  
Lynnette Peppers, Lame Deer  
Matthew Zuhlke, Ashland  
Haleigh Gregg, Helena  
Courtney Capdeville, Hinsdale  
Katherine McDonnell, Townsend

Report Adopted.

**REPORTS OF STANDING COMMITTEES**

**FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS** (Lang, Chair): 1/16/2015  
**HB 112**, do pass. Report adopted.

**TAXATION** (Miller, Chair): 1/16/2015  
**HB 41**, do pass. Report adopted.  
**HB 52**, introduced bill, be amended as follows:

1. Title, page 1, line 6.

**Following:** "SIGNATURES;"

**Insert:** "ALLOWING THE DIRECTORS OF THE DEPARTMENT OF REVENUE AND THE  
DEPARTMENT OF TRANSPORTATION TO ACCEPT DOCUMENTS ELECTRONICALLY;"

2. Page 1, line 14.

**Following:** "~~70, the~~"

**Insert:** "may accept tax returns, reports, and documents filed electronically and"

3. Page 1, line 18.

**Following:** "may"

**Insert:** "accept tax returns, reports, and documents filed electronically and may"

HOUSE JOURNAL  
ELEVENTH LEGISLATIVE DAY - JANUARY 19, 2015

4. Page 1, line 20.

**Following:** "Returns"

**Insert:** ", reports, and documents"

**Following:** "with"

**Insert:** "this section or"

And, as amended, do pass. Report adopted.

**RULES** (Essmann, Chair):

1/19/2015

**SJR 1**, be amended as follows:

1. Page 8, line 16.

**Strike:** "(1)"

2. Page 8, line 26 through page 9, line 3.

**Strike:** line 26 on page 8 through line 3 on page 9

And, as amended, be concurred in. Report adopted.

**MESSAGES FROM THE SENATE**

**Senate bill** passed and transmitted to the House for concurrence:

1/16/2015

**SB 65**, introduced by Driscoll

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 240**, introduced by T. Berry, referred to Business and Labor.

**HB 241**, introduced by T. Berry, referred to Transportation.

**HB 242**, introduced by K. White, M. Blasdel, R. Brodehl, A. Doane, E. Greef, B. Harris, S. Hess, S. Lavin, E. Lieser, W. McKamey, G. Meyers, A. Olszewski, A. Redfield, N. Schwaderer, R. Shaw, referred to Transportation.

**HB 243**, introduced by M. Dunwell, Dick Barrett, Z. Brown, J. Ellis, D. Hayman, C. Kaufmann, E. Lieser, S. Malek, J. Pomnichowski, referred to Federal Relations, Energy, and Telecommunications.

**HB 244**, introduced by J. Essmann, D. Ankney, G. Custer, referred to Appropriations.

**HB 245**, introduced by N. Ballance, D. Brown, M. Caferro, E. Greef, S. Hess, D. Mortensen, R. Pinocci, K. Wagoner, referred to Human Services.

**HB 246**, introduced by Z. Perry, referred to Transportation.

**HB 247**, introduced by G. Custer, referred to State Administration.

**HB 248**, introduced by K. Holmlund, D. Mortensen, R. Osmundson, V. Ricci, referred to Education.

**HB 249**, introduced by P. Noonan, referred to Human Services.

HOUSE JOURNAL  
ELEVENTH LEGISLATIVE DAY - JANUARY 19, 2015

**HB 250**, introduced by K. Wagoner, referred to Judiciary.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion Carried. Representative Laszloffy in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 31** - Representative Kelker moved **HB 31** do pass. Motion carried as follows:

Yeas: B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Hagstrom, Hayman, Hertz, Hess, Hill, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Williams, Wilson, Woods, Mr. Speaker.

Total 78

Nays: Ballance, J. Bennett, Brodehl, Cook, Ehli, Glimm, Greef, Hollandsworth, Lamm, Manzella, Monforton, Mortensen, Pinocci, Redfield, Tschida, Welborn, White, Wittich, Zolnikov.

Total 19

Excused: None.

Total 0

Absent or not voting: Harris, Laszloffy, Shaw.

Total 3

**HB 50** - Representative Steenberg moved **HB 50** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw,

HOUSE JOURNAL  
ELEVENTH LEGISLATIVE DAY - JANUARY 19, 2015

Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 84

Nays: J. Bennett, Brodehl, Cuffe, Doane, Glimm, Hagstrom, Harris, Hess, Lamm, Mandeville, Manzella, Monforton, Osmundson, Wagoner, Wittich, Zolnikov.

Total 16

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 57** - Representative Funk moved **HB 57** do pass. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Greef, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 60

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Hagstrom, Harris, Hess, Jones, Lamm, Laszloffy, Lavin, Mandeville, Manzella, Miller, Monforton, Mortensen, Noland, Osmundson, Pinocci, Randall, Redfield, Regier, Schwaderer, Staffanson, Tschida, Wagoner, Wittich, Zolnikov.

Total 40

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 66** - Representative Hertz moved **HB 66** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland,

HOUSE JOURNAL  
ELEVENTH LEGISLATIVE DAY - JANUARY 19, 2015

Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 99

Nays: Cook.  
Total 1

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 79** - Representative Lynch moved **HB 79** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 99

Nays: B. Brown.  
Total 1

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 95** - Representative McCarthy moved **HB 95** do pass. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Funk, Garner, Greef, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price,

HOUSE JOURNAL  
ELEVENTH LEGISLATIVE DAY - JANUARY 19, 2015

Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 69

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Doane, Fiscus, Fitzpatrick, Flynn, Glimm, Hagstrom, Hertz, Hess, Lamm, Laszloffy, Lavin, Mandeville, Manzella, Miller, Monforton, Mortensen, Randall, Redfield, Regier, Schwaderer, Staffanson, Wagoner, White, Wittich.

Total 31

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 163** - Representative Schwaderer moved **HB 163** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Custer, Doane, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Kipp III, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McCarthy, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Peppers, Person, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Tropila, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

Nays: Berry, Court, Cuffe, Curdy, Dudik, Dunwell, Eck, Ehli, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Lieser, Lynch, MacDonald, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Perry, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Webber, Williams, Wilson, Woods.

Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion Carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Laszloffy moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang,

HOUSE JOURNAL  
ELEVENTH LEGISLATIVE DAY - JANUARY 19, 2015

Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, Mandeville, Manzella, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 99

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: Berglee.  
Total 1

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 32** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
ELEVENTH LEGISLATIVE DAY - JANUARY 19, 2015

**HB 38** passed as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov.

Total 70

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Flynn, Glimm, Harris, Hess, Holmlund, Jones, Kipp III, Lamm, Laszloffy, Manzella, McKamey, Meyers, Monforton, Mortensen, Osmundson, Randall, Redfield, Regier, Ricci, Staffanson, Tschida, Wittich, Mr. Speaker.

Total 29

Excused: None.

Total 0

Absent or not voting: Fiscus.

Total 1

**HB 46** passed as follows:

Yeas: Ballance, B. Bennett, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Funk, Greef, Hagstrom, Hayman, Hertz, Hill, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, White, Williams, Wilson, Woods, Mr. Speaker.

Total 72

Nays: J. Bennett, Berglee, B. Brown, Doane, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Harris, Hess, Hollandsworth, Lamm, Laszloffy, Lavin, Mandeville, Manzella, Miller, Monforton, Mortensen, Pinocci, Randall, Staffanson, Tschida, Wagoner, Welborn, Wittich, Zolnikov.

Total 28

Excused: None.

Total 0

Absent or not voting: None.

Total 0



HOUSE JOURNAL  
ELEVENTH LEGISLATIVE DAY - JANUARY 19, 2015

**HB 49** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 91

Nays: Doane, Fiscus, Garner, Glimm, Manzella, Miller, Monforton, Wittich, Zolnikov.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 75** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 90

Nays: J. Bennett, B. Brown, Burnett, Glimm, Hagstrom, Lamm, McKamey, Miller, Wittich, Zolnikov.

Total 10

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
ELEVENTH LEGISLATIVE DAY - JANUARY 19, 2015

**HB 81** passed as follows:

Yeas: B. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 92

Nays: Ballance, J. Bennett, Fitzpatrick, Flynn, Hertz, Hess, Lamm, Wittich.  
Total 8

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 110** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 94

Nays: J. Bennett, B. Brown, Fitzpatrick, Hertz, Lamm, Wittich.  
Total 6

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
ELEVENTH LEGISLATIVE DAY - JANUARY 19, 2015

**HB 134** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 98

Nays: Berry, B. Brown.  
Total 2

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 147** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, MacDonald, Mandeville, Manzella, McCarthy, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pease-Lopez, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Williams, Wittich, Zolnikov, Mr. Speaker.  
Total 66

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hunter, Jacobson, Lieser, Lynch, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Wilson, Woods.  
Total 34

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
ELEVENTH LEGISLATIVE DAY - JANUARY 19, 2015

**MOTIONS**

Representative McCarthy moved to change his vote on the Committee of the Whole Report from Not Voting to Yes. Without objection, so ordered.

**UNFINISHED BUSINESS**

Mr. Speaker, I move that the following undersigned names be **ADDED** as sponsors to **HB 168**  
Motion Carried.

**HB 168** (S. Fitzpatrick, Chief Sponsor)

Clark, Fiscus, Glimm, Hertz, D. Jones, Lang, Lavin, Pinocci, Regier, Schreiner, Schwaderer,  
and White.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Tuesday, January 20, 2015. Motion carried.

House adjourned at 2:30 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
TWELFTH LEGISLATIVE DAY**

Helena, Montana  
January 20, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative MacDonald. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

**BILLS** (Welborn, Chair):

1/20/2015

Correctly printed: **HB 55, HB 60, HB 83, HB 97, HB 98, HB 99, HB 104, HB 121, HB 124, HB 199.**

Correctly engrossed: **HB 36, HB 84, HB 168.**

Correctly enrolled: **HB 1.**

Transmitted to the Senate: **HB 32, HB 38, HB 46, HB 49, HB 75, HB 81, HB 110, HB 134, HB 147.**

**COMMUNICATIONS AND PETITIONS**

Mr. Speaker: We, your committee on Legislative Administration, having examined the daily journals for the first, second, third, fourth, and fifth legislative days, find the same to be correct.

Representative Welborn, Chair

**REPORTS OF STANDING COMMITTEES**

**NATURAL RESOURCES** (White, Chair):

1/19/2015

**HB 36**, introduced bill, be amended as follows:

1. Page 2, line 8 through line 9.

**Strike:** "must be for" on line 8 through "permit" on line 9

**Insert:** "expires"

2. Page 2, line 10.

**Following:** line 9

**Insert:** "(b) The department shall reinstate an expired permit if the permittee files a written reinstatement request and a project completion notice on forms provided by the department. The reinstatement request and project completion notice must establish the amount of water actually applied to the proposed beneficial use prior to expiration of the permit. Reinstatement of an expired permit under this subsection (4)(b) may not exceed the amount of water actually applied to the proposed beneficial use under the terms of the permit prior to expiration of the permit."

**Renumber:** subsequent subsections

HOUSE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 19, 2015

3. Page 2, line 10.

**Following:** "The department"

**Strike:** "may"

**Insert:** "shall"

**Strike:** "originally permitted under this section"

**Insert:** "authorized by the expired permit, including any portion that was not actually applied to the proposed beneficial use prior to expiration of the permit,"

4. Page 2, line 12.

**Following:** "written"

**Insert:** "reinstatement"

**Strike:** "to reinstate the permit"

5. Page 2, line 14.

**Following:** "comply with the"

**Insert:** "permit"

6. Page 2, line 18.

**Following:** "written"

**Strike:** "request" through "permitted"

**Insert:** "reinstatement request for an expired permit"

7. Page 2, line 20.

**Following:** line 19

**Insert:** "(e) A permit must be reinstated once pursuant to this subsection (4) if the criteria in this subsection (4) have been met. A reinstated permit under subsection (4)(c) must establish time limits for commencement of the appropriation works, completion of construction, and actual application of the water to the proposed beneficial use."

8. Page 2, line 21.

**Following:** "Helena."

**Insert:** "The department shall retain an expired permit in the centralized record system for 2 years."

And, as amended, do pass. Report adopted.

**HB 168**, introduced bill, be amended as follows:

1. Page 1, lines 17 and 18.

**Following:** "the term" on line 17

**Strike:** "combined appropriation" on line 18

**Insert:** ""combined appropriation""

HOUSE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 19, 2015

2. Page 1, line 22.

**Following:** "WHEREAS,"

**Strike:** "in"

**Insert:** "on"

**Following:** "October"

**Insert:** "17,"

**Following:** "2014, the"

**Insert:** "Montana"

**Following:** "Court"

**Insert:** "in Clark Fork Coalition v. Tubbs, Cause No. BDV-2010-874,"

3. Page 1, line 23.

**Following:** line 23

**Insert:** "WHEREAS, substantial financial investment was made by persons on the basis of the 1993 definition of "combined appropriation" prior to the District Court's October 17, 2014, order; and

WHEREAS, the District Court ordered that the Department's rule defining "combined appropriation", in effect from 1987 to 1993, be reinstated; and"

4. Page 2, line 5.

**Following:** "which"

**Strike:** "an"

**Insert:** "the"

**Strike:** "for review was submitted"

**Insert:** "and required fees were received by the department of environmental quality in accordance with 76-4-125 or by the local reviewing authority in accordance with 76-3-604(1)(a)"

And, as amended, do pass. Report adopted.

**TRANSPORTATION** (Lavin, Chair):

1/19/2015

**HB 60**, do pass. Report adopted.

**HB 83**, do pass. Report adopted.

**HB 97**, do pass. Report adopted.

**HB 98**, do pass. Report adopted.

**HB 99**, do pass. Report adopted.

**HB 104**, do pass. Report adopted.

**HB 199**, do pass. Report adopted.

HOUSE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 19, 2015

**STATE ADMINISTRATION** (Essmann, Chair):  
**HB 55**, do pass. Report adopted.

1/20/2015

**HB 84**, introduced bill, be amended as follows:

1. Title, page 2.

**Following:** line 3

**Insert:** "13-2-301,"

2. Title, page 2, line 10.

**Following:** "76-15-303,"

**Insert:** "76-15-304,"

3. Title, page 2, line 14.

**Strike:** "7-3-4210,"

4. Title, page 2, line 17.

**Strike:** "76-15-304,"

5. Page 3, line 16.

**Strike:** "county's"

6. Page 3, line 16 through line 18.

**Following:** "appointment"

**Strike:** ". In" on line 16 through "located." on line 18

**Insert:** ","

7. Page 5, line 14.

**Strike:** "(b)"

**Insert:** "(5)(b)"

8. Page 27, line 2.

**Following:** "If" on line 2

**Insert:** "the number of candidates filing for election is equal to or less than the number of positions to be filled, the election administrator and governing body shall proceed in accordance with [section 7(4) and (5)]. If"

9. Page 95, line 16.

**Strike:** "and school district"

10. Page 95, line 19.

**Strike:** "or school district"

11. Page 95, line 25.

**Strike:** "or school district"



HOUSE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 19, 2015

12. Page 95, line 28.

**Strike:** subsection (3) in its entirety

**Renumber:** subsequent subsection

13. Page 97.

**Following:** line 3

**Insert:** "Section 172. Section 13-2-301, MCA, is amended to read:

**"13-2-301. Close of regular registration -- notice -- changes.** (1) The election administrator shall:

(a) close regular registrations for 30 days before any election; and

(b) except as provided in subsection (5), publish a notice specifying the day regular registrations will close and the availability of the late registration option provided for in 13-2-304 in a newspaper of general circulation in the county at least three times in the 4 weeks preceding the close of registration or broadcast a notice on radio or television as provided in 2-3-105 through 2-3-107, using the method the election administrator believes is best suited to reach the largest number of potential electors. The provisions of this subsection (1)(b) are fulfilled upon the third publication or broadcast of the notice.

(2) Information to be included in the notice must be prescribed by the secretary of state.

(3) An application for voter registration properly executed and postmarked on or before the day regular registration is closed must be accepted as a regular registration for 3 days after regular registration is closed under subsection (1)(a).

(4) An elector who misses the deadlines provided for in this section may register to vote or change the elector's voter information and vote in the election, except as otherwise provided in 13-2-304.

(5) The method of a notice about the close of regular registration for a school election must be as specified in 20-20-204."

**Renumber:** subsequent sections

14. Page 112, line 27.

**Strike:** "[section 3]" through the second "elections,"

15. Page 112, line 28.

**Following:** "elections"

**Strike:** " 1 "

16. Page 137, line 28 through line 30.

**Strike:** "However" on line 28 through "." on line 30

17. Page 144, line 18 through line 25.

**Strike:** "(1)" on line 18 through "; and" on line 25

**Insert:** "(1) (a) When the trustees of a district call a school election, they shall give notice of the election not less than 10 days or more than 40 days before the election by:

(i) publishing a notice in a newspaper of general circulation if there is one in the district;

HOUSE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 19, 2015

- (ii) posting notices in three public places in the district; and
- (iii) posting notice on the district's website, if the district has an active website, for 10 days prior to the election."

18. Page 144, line 26.

**Following:** "(b)"

**Strike:** "providing notice as specified in 13-1-108"

**Insert:** "Whenever, in the judgment of the trustees, the best interest of the district will be served by the supplemental publication or broadcast of the school election notice by any recognized media organization in the district, the trustees may cause the supplemental notification to be made"

19. Page 152.

**Following:** line 5

**Insert:** "Section 240. Section 76-15-304, MCA, is amended to read:

**"76-15-304. Election of supervisors.** (1) Two supervisors shall be elected at the second general election following the organization or reorganization of the district and shall replace the two supervisors appointed by the department. Thereafter, a district shall alternately elect three and two supervisors at succeeding general elections.

(2) ~~Nominations for the election of supervisors shall be made as provided under 76-15-302 except that a nominating election shall be held if more than four candidates are nominated by petition when two supervisors are to be elected~~ An election for supervisors must be conducted in accordance with [sections 1 through 5]."

**Renumber:** subsequent sections

20. Page 152, line 13 through line 14.

**Strike:** "two" on line 13 through "supervisors." on line 14

**Insert:** ": (a) one supervisor for a term to coincide with the terms of those elected supervisors whose terms will expire after the next general election; and

(b) one supervisor for a term to coincide with the terms of those elected supervisors whose terms will expire after the general election following the next general election."

21. Page 152, line 17 through line 18.

**Strike:** "terms" on line 17 through "76-15-312" on line 18

**Insert:** "supervisor positions held by the appointed supervisors become open for election at the time the terms expire. A district having seven supervisors shall alternately elect four and three supervisors at succeeding general elections"

22. Page 153, line 26 through line 27.

**Strike:** ",after" on line 26 through "election" on line 27

23. Page 166, line 7.

**Strike:** line 7 in its entirety

HOUSE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 19, 2015

24. Page 167, line 6.

**Strike:** line 6 in its entirety

And, as amended, do pass. Report adopted.

**HB 121**, do pass. Report adopted.

**HB 124**, do pass. Report adopted.

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 233**, introduced by M. Tropila, referred to Appropriations.

**HB 251**, introduced by J. Essmann, J. Sesso, referred to State Administration.

**HB 252**, introduced by K. McCarthy, referred to Federal Relations, Energy, and Telecommunications.

**HB 253**, introduced by V. Court, referred to Federal Relations, Energy, and Telecommunications.

**HB 254**, introduced by M. Monforton, referred to Taxation.

**HB 255**, introduced by M. Monforton, referred to Judiciary.

**HB 256**, introduced by M. Monforton, referred to Human Services.

**HB 257**, introduced by E. McClafferty, Z. Brown, V. Court, W. Curdy, K. Dudik, M. Funk, E. Hill, R. Lynch, N. McConnell, R. Mehlhoff, P. Noonan, Z. Perry, C. Pope, J. Price, B. Smith, K. Swanson, N. Wilson, referred to Human Services.

**HB 258**, introduced by K. Williams, D. Ankney, E. Buttrey, C. Hunter, M. McNally, N. Schwaderer, referred to Business and Labor.

**HB 259**, introduced by D. Moore, referred to Business and Labor.

**HB 260**, introduced by R. Lynch, referred to Agriculture.

**HB 261**, introduced by R. Lynch, referred to Judiciary.

**HB 262**, introduced by K. White, referred to Taxation.

**HB 263**, introduced by M. Monforton, J. Keane, referred to Fish, Wildlife and Parks.

**HB 264**, introduced by V. Court, W. Curdy, D. Hayman, D. Jones, J. Karjala, C. Kaufmann, M. MacDonald, E. McClafferty, D. Moore, Z. Perry, J. Price, K. Regier, C. Schreiner, T. Steenberg, J. Welborn, N. Wilson, referred to State Administration.

**HB 265**, introduced by S. Staffanson, referred to Agriculture.

The following Senate bills were introduced, read first time, and referred to committees:

**SB 1**, introduced by D. Kary (by request of the State Administration and Veterans' Affairs Interim Committee), referred to State Administration.

**SB 5**, introduced by J. Windy Boy (by request of the Education and Local Government Interim Committee), referred to Human Services.

**SB 7**, introduced by R. Webb (by request of the Children, Families, Health, and Human Services Interim Committee), referred to Human Services.

HOUSE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 19, 2015

**SB 11**, introduced by J. Keane (by request of the Public Service Commission), referred to Federal Relations, Energy, and Telecommunications.

**SB 15**, introduced by N. Swandal (by request of the Supreme Court), referred to Judiciary.

**SB 18**, introduced by Dick Barrett (by request of the Revenue and Transportation Interim Committee), referred to Taxation.

**SB 27**, introduced by D. Brown (by request of the Revenue and Transportation Interim Committee and the State Administration and Veterans' Affairs Interim Committee), referred to State Administration.

**SB 33**, introduced by J. Taylor (by request of the Revenue and Transportation Interim Committee), referred to Taxation.

**SB 46**, introduced by J. Pomnichowski (by request of the Department of Fish, Wildlife, and Parks), referred to Fish, Wildlife and Parks.

**SB 65**, introduced by R. Driscoll (by request of the Code Commissioner), referred to State Administration.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion Carried. Representative Steenberg in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 65** - Representative Funk moved **HB 65** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Berry, Wagoner, Wittich.

Total 3

Excused: None.

Total 0

HOUSE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 19, 2015

Absent or not voting: None.

Total 0

**HB 74** - Representative Lynch moved **HB 74** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Brodehl, B. Brown, Cook, Flynn, Schwaderer, Wittich.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 100** - Representative Garner moved **HB 100** do pass. Motion carried as follows:

Yeas: B. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: Ballance, J. Bennett, Doane, Miller, Welborn, White, Wittich.

Total 7

Excused: None.

Total 0

HOUSE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 19, 2015

Absent or not voting: None.

Total 0

**HB 125** - Representative Swanson moved **HB 125** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 89

Nays: Glimm, Hess, Monforton, Randall, Redfield, Regier, Tschida, Wagoner, Wittich, Zolnikov.

Total 10

Excused: None.

Total 0

Absent or not voting: Kipp III.

Total 1

**HB 141** - Representative Dunwell moved **HB 141** do pass. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Mr. Speaker.

Total 85

Nays: Ballance, Berry, Burnett, Essmann, Lamm, Mandeville, Miller, Moore, Schwaderer, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov.

Total 15

Excused: None.

Total 0

HOUSE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 19, 2015

Absent or not voting: None.

Total 0

**SJR 1** - Representative Essmann moved **SJR 1** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dunwell, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Lamm, Lang, Laszloffy, Lavin, Lieser, MacDonald, Mandeville, Manzella, McCarthy, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Person, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Welborn, White, Williams, Wittich, Zolnikov, Mr. Speaker.

Total 81

Nays: B. Bennett, Dudik, Eck, Hayman, Hill, Kelker, Kipp III, Lynch, McClafferty, Olsen, Pease-Lopez, Peppers, Perry, Pierson, Schreiner, Tropila, Webber, Wilson, Woods.

Total 19

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion Carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Steenberg moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Zolnikov, Mr. Speaker.

Total 97

Nays: Olsen, Pease-Lopez, Woods.

Total 3

Excused: None.

Total 0

**STATE INTERNET/BBS COPY**

HOUSE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 19, 2015

Absent or not voting: None.

Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 31** passed as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 78

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Cook, Cuffe, Ehli, Flynn, Glimm, Hess, Lamm, Manzella, Meyers, Monforton, Osmundson, Redfield, Schwaderer, Shaw, Tschida, White, Wittich, Zolnikov.

Total 22

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 50** passed as follows:

Yeas: Ballance, B. Bennett, Berry, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 79



HOUSE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 19, 2015

Nays: J. Bennett, Berglee, Brodehl, B. Brown, Cuffe, Doane, Glimm, Hagstrom, Harris, Hess, Lamm, Laszloffy, Mandeville, Manzella, Monforton, Mortensen, Osmundson, Pinocci, Wagoner, Wittich, Zolnikov.

Total 21

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 57** passed as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Garner, Greef, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 63

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Fiscus, Flynn, Glimm, Hagstrom, Harris, Hess, Jones, Lamm, Laszloffy, Lavin, Mandeville, Manzella, Miller, Monforton, Mortensen, Noland, Osmundson, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, Wittich, Zolnikov.

Total 37

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 66** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner,

HOUSE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 19, 2015

Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 79** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 95** passed as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Funk, Garner, Greef, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Laszloffy, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith,

HOUSE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 19, 2015

Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Zolnikov,  
Mr. Speaker.  
Total 71

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Doane, Fiscus,  
Fitzpatrick, Flynn, Glimm, Hagstrom, Hess, Lamm, Lang, Lavin, Mandeville, Manzella, Miller,  
Monforton, Mortensen, Randall, Redfield, Regier, Staffanson, Wagoner, White, Wittich.  
Total 29

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 163** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett,  
Clark, Cook, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef,  
Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Kipp III, Lamm, Lang,  
Laszloffy, Lavin, Mandeville, Manzella, McCarthy, McKamey, Meyers, Miller, Monforton,  
Mortensen, Noland, Olszewski, Osmundson, Person, Pinocci, Randall, Redfield, Regier, Ricci,  
Richmond, Schwaderer, Shaw, Tropila, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov,  
Mr. Speaker.  
Total 61

Nays: Court, Cuffe, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson,  
Karjala, Kelker, Lieser, Lynch, MacDonald, McClafferty, McConnell, Mehlhoff, Moore, Noonan,  
Olsen, Pease-Lopez, Peppers, Perry, Pierson, Pope, Price, Salomon, Schreiner, Smith,  
Staffanson, Steenberg, Swanson, Webber, Williams, Wilson, Woods.  
Total 39

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SPECIAL ORDERS OF THE DAY**

Representative Wittich asked for a moment of silence to honor Becky Lockhart, former Speaker  
of the Utah House of Representatives, who passed away recently.

HOUSE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 19, 2015

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Wednesday, January 21, 2015. Motion carried.

House adjourned at 1:46 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
THIRTEENTH LEGISLATIVE DAY**

Helena, Montana  
January 21, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Pierson. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Berry, excused. Quorum present.

**BILLS** (Welborn, Chair):

1/21/2015

Correctly printed: **HB 25, HB 26, HB 80, HB 102, HB 103, HB 115, HB 144, HB 182, HB 184, HB 195.**

Correctly engrossed: **HB 37, HB 44, HB 53, HB 111, HB 130, HB 135, HB 139.**

Examined by the sponsor and found to be correct: **HB 1.**

Transmitted to the Senate: **HB 31, HB 50, HB 57, HB 66, HB 79, HB 95, HB 163, SJR 1.**

Signed by the Speaker at 2:10 p.m., January 21, 2015: **HB 1.**

Signed by the Chief Clerk of the House at 2:42 p.m., January 21, 2015: **HB 1.**

Signed by the President at 3:30 p.m., January 21, 2015: **HB 1.**

Delivered to the Governor for approval at 3:50 p.m., January 21, 2015: **HB 1.**

**REPORTS OF STANDING COMMITTEES**

**FISH, WILDLIFE AND PARKS** (Flynn, Chair):

1/20/2015

**HB 144**, do pass. Report adopted.

**LOCAL GOVERNMENT** (Greef, Chair):

1/20/2015

**HB 182**, do pass. Report adopted.

**BUSINESS AND LABOR** (Berry, Chair):

1/21/2015

**HB 44**, introduced bill, be amended as follows:

1. Title, page 1, line 8.

**Following:** "ACCOUNTANTS;"

**Insert:** "ALLOWING FOR A REGISTRATION FEE;"

2. Page 15, line 5.

**Strike:** "not"

And, as amended, do pass. Report adopted.

HOUSE JOURNAL  
THIRTEENTH LEGISLATIVE DAY - JANUARY 21, 2015

**HB 53**, introduced bill, be amended as follows:

1. Page 2, line 11.

**Following:** "forces"

**Insert:** "as described in [section 1(1)(a)]"

**Following:** the first "or"

**Insert:** "to"

And, as amended, do pass. Report adopted.

**HB 80**, do pass. Report adopted.

**HB 102**, do pass. Report adopted.

**HB 103**, do pass. Report adopted.

**HB 115**, do pass. Report adopted.

**HB 184**, do pass. Report adopted.

**JUDICIARY** (Bennett, Chair):

1/21/2015

**HB 25**, do pass. Report adopted.

**HB 26**, do pass. Report adopted.

**HB 37**, do pass. Report adopted.

**HB 111**, introduced bill, be amended as follows:

1. Page 1, line 20.

**Following:** "program"

**Strike:** "operated or"

2. Page 1, line 28.

**Following:** "program"

**Strike:** "operated or"

**Following:** "corrections"

**Strike:** "or in a state prison"

And, as amended, do pass. Report adopted.

**HB 130**, introduced bill, be amended as follows:

1. Page 2, line 1 through line 3.

**Strike:** "; and" on line 1 through "those devices" on line 3

2. Page 2, line 20 through line 21

**Strike:** "Except" on line 20 through "it" on line 21

**Insert:** "It"

HOUSE JOURNAL  
THIRTEENTH LEGISLATIVE DAY - JANUARY 21, 2015

3. Page 2, line 25 through page 3, line 4.

**Strike:** subsections (2) and (3) in their entirety

**Insert:** "(2) A written consent form must be signed and dated and must include a statement that the parent or guardian of the minor has read and understood the warnings given by the tanning facility and consents to the minor's use of the tanning device."

**Renumber:** Subsequent subsections

And, as amended, do pass. Report adopted.

**HB 135**, introduced bill, be amended as follows:

1. Page 1, line 17.

**Following:** "require"

**Insert:** ":",  
(i)"

**Following:** "treatment"

**Strike:** ", "

**Insert:** "; or  
(ii)"

2. Page 1, line 17 through line 18.

**Strike:** "mental" on line 17 through "or" on line 18

3. Page 1, line 19.

**Following:** "released"

**Insert:** ", including mental health therapy or vocational training"

And, as amended, do pass. Report adopted.

**HB 139**, introduced bill, be amended as follows:

1. Title, page 1, line 5.

**Strike:** "REGIONAL"

**Insert:** "DEPUTY"

2. Page 2, line 25.

**Following:** "section."

**Insert:** "A deputy public defender or individual public defender reviewing another public defender's case may perform eligibility screening pursuant to this section."

And, as amended, do pass. Report adopted.

**HB 195**, do pass. Report adopted.

HOUSE JOURNAL  
THIRTEENTH LEGISLATIVE DAY - JANUARY 21, 2015

**MESSAGES FROM THE SENATE**

**Senate bills** passed and transmitted to the House for concurrence: 1/19/2015

**SB 6**, introduced by Thomas  
**SB 51**, introduced by Dick Barrett  
**SB 63**, introduced by Taylor  
**SB 78**, introduced by Tutvedt  
**SB 80**, introduced by D. Brown  
**SB 95**, introduced by Kaufmann  
**SB 100**, introduced by Larsen

**House bill** concurred in and returned to the House: 1/20/2015

**HB 1**, introduced by Ballance

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 266**, introduced by N. Schwaderer, referred to Taxation.  
**HB 267**, introduced by E. Hill, T. Berry, D. Brown, T. Brown, E. Buttrey, C. Clark, R. Cook, J. Fielder, S. Fitzpatrick, F. Garner, B. Hamlett, S. Hess, J. Hinkle, D. Jones, D. Kary, A. Knudsen, S. Lavin, W. McKamey, M. Miller, M. Monforton, D. Moore, F. Moore, A. Olszewski, A. Person, R. Pinocci, C. Pope, J. Price, L. Randall, T. Richmond, S. Sales, D. Salomon, C. Schreiner, N. Schwaderer, F. Thomas, B. Tutvedt, K. Wagoner, K. White, K. Williams, A. Wittich, D. Zolnikov, referred to Transportation.  
**HB 268**, introduced by K. Flynn, referred to Fish, Wildlife and Parks.  
**HB 269**, introduced by T. Jacobson, referred to Fish, Wildlife and Parks.  
**HB 270**, introduced by T. Richmond, C. Vincent, referred to Natural Resources.  
**HB 271**, introduced by A. Olszewski, referred to Human Services.  
**HB 272**, introduced by E. Hill, referred to Judiciary.  
**HB 273**, introduced by V. Ricci, referred to Business and Labor.  
**HB 274**, introduced by N. Ballance, B. Brown, J. Fielder, B. Harris, T. Manzella, referred to Judiciary.  
**HB 275**, introduced by N. Wilson, B. Bennett, Z. Brown, V. Court, W. Curdy, M. Dunwell, J. Ellis, M. Funk, D. Hayman, E. Hill, K. Kelker, E. McClafferty, A. Olsen, J. Price, T. Steenberg, S. Webber, referred to Transportation.  
**HB 276**, introduced by G. Hertz, R. Brodehl, J. Essmann, K. Hansen, S. Hess, R. Hollandsworth, D. Mortensen, R. Osmundson, A. Redfield, K. Regier, B. Tschida, D. Zolnikov, referred to Taxation.  
**HB 277**, introduced by C. Clark, referred to Taxation.  
**HB 278**, introduced by J. Essmann, referred to Fish, Wildlife and Parks.



HOUSE JOURNAL  
THIRTEENTH LEGISLATIVE DAY - JANUARY 21, 2015

**HB 279**, introduced by J. Essmann, referred to Fish, Wildlife and Parks.

**HB 280**, introduced by J. Essmann, referred to Transportation.

**HB 281**, introduced by D. Mortensen, S. Berglee, B. Brown, A. Doane, D. Hagstrom, B. Harris, G. Hertz, S. Hess, K. Holmlund, D. Jones, A. Knudsen, D. Lamm, T. Manzella, M. Noland, R. Pinocci, M. Rosendale, C. Smith, S. Staffanson, D. Zolnikov, referred to Fish, Wildlife and Parks.

**HB 282**, introduced by B. Bennett, Dick Barrett, Z. Brown, J. Cohenour, M. Dunwell, J. Eck, J. Ellis, T. Facey, M. Funk, D. Hayman, E. Hill, T. Jacobson, J. Karjala, C. Kaufmann, E. Lieser, R. Lynch, M. MacDonald, N. McConnell, M. McNally, P. Noonan, A. Olsen, A. Person, M. Phillips, G. Pierson, J. Pomnichowski, C. Pope, J. Price, D. Sands, C. Schreiner, K. Swanson, S. Webber, K. Williams, C. Wolken, T. Woods, referred to Judiciary.

**HB 283**, introduced by K. Regier, referred to State Administration.

**HB 284**, introduced by K. Dudik, R. Peppers, referred to Education.

**HB 285**, introduced by K. Flynn, referred to Business and Labor.

**HB 287**, introduced by T. Jacobson, referred to Taxation.

The following House joint resolution was introduced, read first time, and referred to committee:

**HJR 6**, introduced by T. Burnett, N. Ballance, R. Brodehl, M. Cuffe, R. Ehli, D. Hagstrom, K. Holmlund, D. Jones, R. Osmundson, referred to State Administration.

The following Senate bills were introduced, read first time, and referred to committees:

**SB 6**, introduced by F. Thomas (by request of the Revenue and Transportation Interim Committee), referred to Taxation.

**SB 51**, introduced by Dick Barrett (by request of the Department of Commerce), referred to Taxation.

**SB 63**, introduced by T. Brown (by request of the Legislative Audit Committee), referred to State Administration.

**SB 78**, introduced by B. Tutvedt (by request of the Department of Agriculture), referred to Agriculture.

**SB 80**, introduced by D. Brown (by request of the Legislative Audit Committee), referred to State Administration.

**SB 95**, introduced by C. Kaufmann (by request of the Revenue and Transportation Interim Committee), referred to Taxation.

**SB 100**, introduced by C. Larsen (by request of the Department of Livestock), referred to Agriculture.

HOUSE JOURNAL  
THIRTEENTH LEGISLATIVE DAY - JANUARY 21, 2015

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion Carried. Representative Berglee in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 41** - Representative Hunter moved **HB 41** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 52** - Representative Dunwell moved **HB 52** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland,

HOUSE JOURNAL  
THIRTEENTH LEGISLATIVE DAY - JANUARY 21, 2015

Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: B. Brown, Glimm, Ricci, Staffanson.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 55** - Representative Curdy moved **HB 55** do pass. Motion carried as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Garner, Greef, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Moore, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Williams, Wilson, Woods, Mr. Speaker.

Total 62

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Glimm, Hagstrom, Harris, Hertz, Lamm, Lang, Laszloffy, Lavin, Manzella, Meyers, Miller, Monforton, Mortensen, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Wagoner, Welborn, White, Wittich, Zolnikov.

Total 38

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 60** - Representative Curdy moved **HB 60** do pass. Motion carried as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Greef, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen,

HOUSE JOURNAL  
THIRTEENTH LEGISLATIVE DAY - JANUARY 21, 2015

Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 77

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Cuffe, Fitzpatrick, Glimm, Hagstrom, Hertz, Hess, Lamm, Manzella, Olszewski, Pinocci, Redfield, Regier, Ricci, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 23

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 84** - Representative B. Bennett moved **HB 84** do pass. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 90

Nays: Ballance, Brodehl, Cook, Hess, Monforton, Moore, Olszewski, Tschida, Wagoner, Wittich.

Total 10

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 97** - Representative McClafferty moved **HB 97** do pass. Motion carried as follows:

Yeas: Ballance, Berry, Brodehl, Clark, Cook, Court, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Moore,

HOUSE JOURNAL  
THIRTEENTH LEGISLATIVE DAY - JANUARY 21, 2015

Noonan, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Woods, Mr. Speaker.

Total 66

Nays: B. Bennett, J. Bennett, Berglee, B. Brown, Z. Brown, Burnett, Cuffe, Curdy, Doane, Ehli, Flynn, Glimm, Hagstrom, Harris, Hess, Jones, Lamm, Lang, Manzella, Meyers, Monforton, Mortensen, Noland, Olsen, Peppers, Pinocci, Regier, Staffanson, Tschida, Wagoner, White, Wilson, Wittich, Zolnikov.

Total 34

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 104** - Representative Eck moved **HB 104** do pass. Motion carried as follows:

Yeas: B. Bennett, Berglee, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, Greef, Hagstrom, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 62

Nays: Ballance, J. Bennett, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Hertz, Hess, Jones, Lamm, Lang, Mandeville, Manzella, McKamey, Miller, Monforton, Mortensen, Pinocci, Randall, Redfield, Regier, Schwaderer, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 38

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 112** - Representative Regier moved **HB 112** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill,

HOUSE JOURNAL  
THIRTEENTH LEGISLATIVE DAY - JANUARY 21, 2015

Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 99

Nays: Cook.  
Total 1

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 121** - Representative Karjala moved **HB 121** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 88

Nays: J. Bennett, Brodehl, Cook, Doane, Fitzpatrick, Glimm, Lamm, Laszloffy, Monforton, Mortensen, Staffanson, Wittich.  
Total 12

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 168** - Representative Fitzpatrick moved **HB 168** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann,

HOUSE JOURNAL  
THIRTEENTH LEGISLATIVE DAY - JANUARY 21, 2015

Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Wittich.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion Carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Berglee moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Berry, Salomon.

Total 2

HOUSE JOURNAL  
THIRTEENTH LEGISLATIVE DAY - JANUARY 21, 2015

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 65** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price,

Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Essmann, Monforton, Wittich.

Total 3

Excused: None.

Total 0

Absent or not voting: Berry.

Total 1

**HB 74** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Z. Brown, Burnett, Clark, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 92



HOUSE JOURNAL  
THIRTEENTH LEGISLATIVE DAY - JANUARY 21, 2015

Nays: Brodehl, B. Brown, Cook, Cuffe, Flynn, Schwaderer, Wittich.

Total 7

Excused: None.

Total 0

Absent or not voting: Berry.

Total 1

**HB 100** passed as follows:

Yeas: B. Bennett, Berglee, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Ballance, J. Bennett, B. Brown, Doane, Wittich.

Total 5

Excused: None.

Total 0

Absent or not voting: Berry.

Total 1

**HB 125** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 85

HOUSE JOURNAL  
THIRTEENTH LEGISLATIVE DAY - JANUARY 21, 2015

Nays: J. Bennett, B. Brown, Cuffe, Glimm, Hess, McKamey, Monforton, Randall, Redfield, Regier, Tschida, Wagoner, Wittich, Zolnikov.  
Total 14

Excused: None.  
Total 0

Absent or not voting: Berry.  
Total 1

**HB 141** passed as follows:

Yeas: B. Bennett, J. Bennett, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Monforton, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Mr. Speaker.  
Total 77

Nays: Ballance, Berglee, B. Brown, Burnett, Essmann, Fiscus, Flynn, Lamm, Laszloffy, Mandeville, McKamey, Miller, Moore, Pinocci, Schwaderer, Shaw, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov.  
Total 22

Excused: None.  
Total 0

Absent or not voting: Berry.  
Total 1

**SJR 1** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dunwell, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Peppers, Person, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Zolnikov, Mr. Speaker.  
Total 87

HOUSE JOURNAL  
THIRTEENTH LEGISLATIVE DAY - JANUARY 21, 2015

Nays: B. Bennett, Dudik, Eck, Hill, Lynch, Olsen, Pease-Lopez, Perry, Pierson, Schreiner, Tropila, Woods.  
Total 12

Excused: None.  
Total 0

Absent or not voting: Berry.  
Total 1

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Thursday, January 22, 2015. Motion carried.

House adjourned at 2:02 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
FOURTEENTH LEGISLATIVE DAY**

Helena, Montana  
January 22, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Welborn. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Knudsen, excused. Quorum present.

**BILLS** (Welborn, Chair):

1/22/2015

Correctly printed: **HB 87**.

Correctly engrossed: **HB 42, HB 157, HB 183, HB 185**.

Transmitted to the Senate: **HB 65, HB 74, HB 84, HB 100, HB 125, HB 141**.

**REPORTS OF STANDING COMMITTEES**

**EDUCATION** (Laszloffy, Chair):

1/21/2015

**HB 87**, do pass. Report adopted.

**HB 157**, introduced bill, be amended as follows:

1. Page 1, line 11.

**Following:** "lease for"

**Insert:** "up to 7 years for personal property and for up to"

**Following:** "15 years"

**Insert:** "for real property"

2. Page 1, line 18.

**Following:** "The"

**Strike:** "lease" on line 18 through "than" on line 19

**Insert:** "term of the lease may not exceed"

3. Page 1, line 20.

**Strike:** "of not more than"

**Insert:** "approved by the qualified electors, but not exceeding"

And, as amended, do pass. Report adopted.

**HB 185**, introduced bill, be amended as follows:

1. Page 1, line 15.

**Following:** "money"

**Strike:** "may"

**Insert:** "must"

HOUSE JOURNAL  
FOURTEENTH LEGISLATIVE DAY - JANUARY 22, 2015

And, as amended, do pass. Report adopted.

**FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS** (Lang, Chair): 1/21/2015  
**HB 42**, introduced bill, be amended as follows:

1. Page 1, line 13.

**Following:** "in"

**Insert:** "69-3-304,"

**Following:** "69-3-308"

**Strike:** "and"

**Insert:** ", or"

2. Page 1, line 15 through line 16.

**Strike:** "or before" on line 15 through "months" on line 16

3. Page 1, line 21.

**Following:** "If"

**Strike:** "the commission or the"

**Insert:** "a"

**Strike:** "change to"

**Insert:** "general"

**Strike:** "a rate or"

**Insert:** "in"

4. Page 1, line 22.

**Following:** "notice"

**Insert:** "of the proposed change"

**Strike:** "each"

**Insert:** "the"

**Strike:** "customer"

**Insert:** "customers"

And, as amended, do pass. Report adopted.

**LOCAL GOVERNMENT** (Greef, Chair):  
**HB 183**, introduced bill, be amended as follows:

1/20/2015

1. Title, page 1, line 4.

**Following:** "REQUIRING THAT"

**Insert:** "CERTAIN"

**Strike:** "ADJACENT TO"

**Insert:** "WHOLLY SURROUNDED BY"

HOUSE JOURNAL  
FOURTEENTH LEGISLATIVE DAY - JANUARY 22, 2015

2. Title, page 1, line 5.

**Following:** "BEING"

**Insert:** "OR ALREADY"

3. Page 1, line 12.

**Following:** "include"

**Strike:** "any parks and"

**Insert:** ": (1) parks created pursuant to Title 76, chapter 3, that are wholly surrounded by other property being or already annexed; and  
(2)"

And, as amended, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**Senate bills** passed and transmitted to the House for concurrence:

1/20/2015

**SB 4**, introduced by Facey

**SB 58**, introduced by Connell

**SB 70**, introduced by Keane

**SB 71**, introduced by Keane

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 286**, introduced by T. Jacobson, referred to Judiciary.

**HB 288**, introduced by T. Richmond, referred to State Administration.

**HB 289**, introduced by E. Greef, referred to Local Government.

**HB 290**, introduced by K. White, G. Bennett, B. Brown, E. Greef, B. Harris, D. Jones, D. Mortensen, R. Pinocci, referred to State Administration.

**HB 291**, introduced by K. Holmlund, J. Essmann, F. Garner, D. Mortensen, referred to Business and Labor.

**HB 292**, introduced by B. Brown, N. Ballance, D. Hagstrom, B. Harris, F. Mandeville, T. Manzella, W. McKamey, D. Mortensen, S. Staffanson, D. Zolnikov, referred to Fish, Wildlife and Parks.

**HB 293**, introduced by B. Brown, N. Ballance, C. Glimm, D. Hagstrom, B. Harris, F. Mandeville, T. Manzella, W. McKamey, D. Moore, D. Mortensen, R. Shaw, D. Zolnikov, referred to Local Government.

**HB 294**, introduced by B. Smith, M. Phillips, K. Swanson, J. Windy Boy, referred to Federal Relations, Energy, and Telecommunications.

**HB 295**, introduced by C. Pease-Lopez, L. Whitford, referred to Transportation.

**HB 296**, introduced by P. Noonan, referred to Federal Relations, Energy, and Telecommunications.

**HB 297**, introduced by V. Court, referred to Judiciary.

**HB 298**, introduced by B. Harris, N. Ballance, G. Bennett, S. Berglee, M. Blasdel, R. Brodehl, B. Brown, A. Doane, J. Fielder, C. Fiscus, K. Flynn, F. Garner, C. Glimm, E. Greef, D. Hagstrom, B.

HOUSE JOURNAL  
FOURTEENTH LEGISLATIVE DAY - JANUARY 22, 2015

Harris, G. Hertz, S. Hess, J. Hinkle, R. Hollandsworth, K. Holmlund, D. Howard, D. Kary, A. Knudsen, D. Lamm, M. Lang, S. Laszloffy, F. Mandeville, T. Manzella, W. McKamey, M. Miller, D. Moore, F. Moore, D. Mortensen, M. Noland, A. Olszewski, R. Osmundson, R. Pinocci, L. Randall, A. Redfield, K. Regier, V. Ricci, T. Richmond, S. Sales, D. Salomon, N. Schwaderer, C. Smith, S. Staffanson, B. Tschida, G. Vance, K. White, A. Wittich, D. Zolnikov, referred to Judiciary.

**HB 299**, introduced by M. Noland, F. Garner, C. Glimm, B. Harris, D. Mortensen, T. Richmond, B. Tschida, K. White, referred to Business and Labor.

**HB 300**, introduced by K. White, B. Brown, E. Greef, T. Manzella, M. Noland, R. Shaw, J. Hinkle, D. Kary, J. Keane, R. Ripley, G. Vance, C. Vincent, R. Webb, referred to Fish, Wildlife and Parks.

**HB 301**, introduced by R. Peppers, G. Kipp, C. Pease-Lopez, J. Sesso, B. Smith, S. Stewart-Peregoy, S. Webber, J. Windy Boy, referred to Appropriations.

**HB 302**, introduced by F. Mandeville, G. Bennett, B. Brown, A. Doane, S. Fitzpatrick, F. Garner, D. Mortensen, V. Ricci, M. Rosendale, N. Schwaderer, S. Staffanson, referred to Local Government.

**HB 303**, introduced by W. Curdy, referred to Education.

The following Senate bills were introduced, read first time, and referred to committees:

**SB 4**, introduced by T. Facey (by request of the Economic Affairs Interim Committee), referred to Business and Labor.

**SB 58**, introduced by P. Connell (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.

**SB 70**, introduced by J. Keane (by request of the Department of Labor and Industry), referred to Business and Labor.

**SB 71**, introduced by J. Keane (by request of the Department of Labor and Industry), referred to Business and Labor.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion Carried. Representative Ballance in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 16** - Representative Regier moved **HB 16** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

HOUSE JOURNAL  
FOURTEENTH LEGISLATIVE DAY - JANUARY 22, 2015

Total 56

Nays: B. Bennett, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 44

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 36** - Representative Lynch moved **HB 36** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 96

Nays: Burnett, Monforton, Wittich, Zolnikov.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 80** - Representative Lynch moved **HB 80** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty,



HOUSE JOURNAL  
FOURTEENTH LEGISLATIVE DAY - JANUARY 22, 2015

McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 99

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: Lang.  
Total 1

**HB 83** - Representative Hayman moved **HB 83** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 98** - Representative McClafferty moved **HB 98** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang,

HOUSE JOURNAL  
FOURTEENTH LEGISLATIVE DAY - JANUARY 22, 2015

Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Doane, Fiscus, Mortensen.

Total 3

Excused: None.

Total 0

Absent or not voting: Schwaderer.

Total 1

**HB 99** - Representative McClafferty moved **HB 99** do pass. Motion carried as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, Greef, Hayman, Hill, Holmlund, Hunter, Jacobson, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 54

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Jones, Karjala, Lamm, Lang, Laszloffy, Mandeville, Manzella, McKamey, Miller, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 46

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 102** - Representative Pinocci moved **HB 102** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala,

HOUSE JOURNAL  
FOURTEENTH LEGISLATIVE DAY - JANUARY 22, 2015

Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 85

Nays: J. Bennett, B. Brown, Burnett, Cook, Fitzpatrick, Flynn, Hertz, Hess, Lamm, Laszloffy, Miller, Noland, Staffanson, Wagoner, Wittich.

Total 15

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 103** - Representative Z. Brown moved **HB 103** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Funk, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 68

Nays: J. Bennett, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Harris, Hess, Lamm, Lavin, Mandeville, Manzella, Monforton, Mortensen, Noland, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Staffanson, Tschida, Wagoner, Wittich, Zolnikov.

Total 32

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 124** - Representative McKamey moved **HB 124** do pass. Motion carried as follows:

HOUSE JOURNAL  
FOURTEENTH LEGISLATIVE DAY - JANUARY 22, 2015

Yeas: Ballance, B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 91

Nays: J. Bennett, Brodehl, Doane, Flynn, Lang, Monforton, Mortensen, Redfield, Wittich.  
Total 9

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 144** - Representative Redfield moved **HB 144** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 99

Nays: Lynch.  
Total 1

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 184** - Representative Hertz moved **HB 184** do pass. Motion carried as follows:

HOUSE JOURNAL  
FOURTEENTH LEGISLATIVE DAY - JANUARY 22, 2015

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 199** - Representative Ellis moved **HB 199** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berry, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Funk, Garner, Greef, Hagstrom, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.  
Total 73

Nays: J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Doane, Essmann, Fitzpatrick, Flynn, Glimm, Harris, Hertz, Hess, Jones, Lamm, Laszloffy, Miller, Monforton, Mortensen, Randall, Schwaderer, Staffanson, Wagoner, White, Wittich, Zolnikov.  
Total 27

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Majority Leader Regier moved the committee rise and report. Motion Carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Ballance moved the Committee of the

HOUSE JOURNAL  
FOURTEENTH LEGISLATIVE DAY - JANUARY 22, 2015

Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov.  
Total 99

Nays: None.  
Total 0

Excused: Mr. Speaker.  
Total 1

Absent or not voting: None.  
Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 41** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov.  
Total 99

Nays: None.  
Total 0

HOUSE JOURNAL  
FOURTEENTH LEGISLATIVE DAY - JANUARY 22, 2015

Excused: Mr. Speaker.

Total 1

Absent or not voting: None.

Total 0

**HB 52** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 94

Nays: B. Brown, Glimm, Hess, Schwaderer, Staffanson.

Total 5

Excused: Mr. Speaker.

Total 1

Absent or not voting: None.

Total 0

**HB 55 failed** as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Funk, Greef, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 47

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Doane, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Hagstrom, Harris, Hertz, Hess, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov.

Total 52

HOUSE JOURNAL  
FOURTEENTH LEGISLATIVE DAY - JANUARY 22, 2015

Excused: Mr. Speaker.

Total 1

Absent or not voting: None.

Total 0

**HB 60** passed as follows:

Yeas: B. Bennett, Berry, B. Brown, Z. Brown, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Funk, Garner, Greef, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods.

Total 73

Nays: Ballance, J. Bennett, Berglee, Brodehl, Burnett, Cuffe, Fitzpatrick, Flynn, Glimm, Hagstrom, Harris, Hertz, Hess, Lamm, Laszloffy, Manzella, McKamey, Redfield, Regier, Ricci, Schwaderer, Staffanson, Wagoner, White, Wittich, Zolnikov.

Total 26

Excused: Mr. Speaker.

Total 1

Absent or not voting: None.

Total 0

**HB 84** passed as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov.

Total 87

Nays: Ballance, Brodehl, B. Brown, Cook, Cuffe, Fitzpatrick, Hess, Manzella, Monforton, Tschida, Wagoner, Wittich.

Total 12



HOUSE JOURNAL  
FOURTEENTH LEGISLATIVE DAY - JANUARY 22, 2015

Excused: Mr. Speaker.

Total 1

Absent or not voting: None.

Total 0

**HB 97** passed as follows:

Yeas: B. Bennett, Berglee, Berry, Brodehl, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Woods.

Total 73

Nays: Ballance, J. Bennett, B. Brown, Z. Brown, Burnett, Ehli, Glimm, Hagstrom, Harris, Hess, Lamm, Manzella, McKamey, Monforton, Noland, Olsen, Peppers, Pinocci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wilson, Wittich, Zolnikov.

Total 26

Excused: Mr. Speaker.

Total 1

Absent or not voting: None.

Total 0

**HB 104** passed as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, Greef, Harris, Hayman, Hill, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers,

Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 59

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Hagstrom, Hertz, Hess, Hollandsworth, Jones, Lamm, Laszloffy, Mandeville, Manzella, McKamey, Miller, Monforton, Mortensen, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Tschida, Wagoner, Welborn, White, Wittich,

HOUSE JOURNAL  
FOURTEENTH LEGISLATIVE DAY - JANUARY 22, 2015

Zolnikov.  
Total 40

Excused: Mr. Speaker.  
Total 1

Absent or not voting: None.  
Total 0

**HB 112** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov.  
Total 98

Nays: Wittich.  
Total 1

Excused: Mr. Speaker.  
Total 1

Absent or not voting: None.  
Total 0

**HB 121** passed as follows:

Yeas: Ballance, B. Bennett, Berry, Z. Brown, Burnett, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, White, Williams, Wilson, Woods.  
Total 79

HOUSE JOURNAL  
FOURTEENTH LEGISLATIVE DAY - JANUARY 22, 2015

Nays: J. Bennett, Berglee, Brodehl, B. Brown, Cook, Cuffe, Doane, Glimm, Hess, Lamm, Laszloffy, Meyers, Monforton, Mortensen, Noland, Staffanson, Wagoner, Welborn, Wittich, Zolnikov.

Total 20

Excused: Mr. Speaker.

Total 1

Absent or not voting: None.

Total 0

**HB 168** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov.

Total 97

Nays: Ellis, Wittich.

Total 2

Excused: Mr. Speaker.

Total 1

Absent or not voting: None.

Total 0

**UNFINISHED BUSINESS**

Mr. Speaker, I move that the following undersigned name be **ADDED** as sponsor to **HB 189**  
Motion Carried.

**HB 189** (T. Woods, Chief Sponsor)

Pinocci.

HOUSE JOURNAL  
FOURTEENTH LEGISLATIVE DAY - JANUARY 22, 2015

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Friday, January 23, 2015.  
Motion carried.

House adjourned at 2:18 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
FIFTEENTH LEGISLATIVE DAY**

Helena, Montana  
January 23, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Noonan. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Knudsen, excused. Quorum present.

Representative McClafferty rose on a **Point of Personal Privilege** to clarify her testimony on HB 99.

**BILLS** (Welborn, Chair):

1/23/2015

Correctly printed: **HB 19, HB 94, HB 128, HB 161, HB 166.**

Correctly engrossed: **HB 12, HB 27, HB 43, HB 56, HB 117, HB 120, HB 129, HB 133, HB 167, HB 169.**

Transmitted to the Senate: **HB 41, HB 52, HB 60, HB 97, HB 104, HB 112, HB 121, HB 168.**

**REPORTS OF STANDING COMMITTEES**

**APPROPRIATIONS** (Ballance, Chair):

1/23/2015

**HB 27**, introduced bill, be amended as follows:

1. Page 4, line 19.

**Following:** "\$209"

**Strike:** "in fiscal year 2017"

**Insert:** "for each succeeding fiscal year"

2. Page 4, line 24.

**Following:** "\$21.25"

**Strike:** "in fiscal year 2017"

**Insert:** "for each succeeding fiscal year"

3. Page 5, line 18.

**Following:** "succeeding"

**Insert:** "fiscal"

And, as amended, do pass. Report adopted.

**BUSINESS AND LABOR** (Berry, Chair):

1/23/2015

**HB 94**, do pass. Report adopted.

HOUSE JOURNAL  
FIFTEENTH LEGISLATIVE DAY - JANUARY 23, 2015

**HB 117**, introduced bill, be amended as follows:

1. Page 1, line 27.

**Strike:** "as well as"

**Insert:** "but excluding"

2. Page 2, lines 2 through 6.

**Strike:** subsection (5) and (6) in their entirety

**Renumber:** subsequent subsection

3. Page 2, line 8.

**Following:** "37-1-317."

**Insert:** "The remedies provided by this section may not be applied either to licensees or to employees of licensees."

And, as amended, do pass. Report adopted.

**FISH, WILDLIFE AND PARKS** (Flynn, Chair):

1/22/2015

**HB 167**, introduced bill, be amended as follows:

1. Page 2, line 6.

**Strike:** "\$25"

**Insert:** "\$27"

**Strike:** "50 cents"

**Insert:** "\$1"

2. Page 2, line 14.

**Strike:** "\$11"

**Insert:** "\$15"

3. Page 2, line 17.

**Following:** "permit;"

**Strike:** "and"

4. Page 2, line 18.

**Strike:** "\$10"

**Insert:** "\$6"

**Following:** "education"

**Insert:** "; and"

**Following:** line 18

**Insert:** "(v) \$1.50 must be used by the department to mitigate and eradicate noxious weeds along off-highway vehicle trails"

HOUSE JOURNAL  
FIFTEENTH LEGISLATIVE DAY - JANUARY 23, 2015

5. Page 2, line 19.

**Strike:** "50-cent"

**Insert:** "\$1"

And, as amended, do pass. Report adopted.

**JUDICIARY** (Bennett, Chair):

1/23/2015

**HB 12**, introduced bill, be amended as follows:

1. Page 1, line 24 through line 26.

**Strike:** subsection (4) in its entirety

**Insert:** "(4) (a) Either party to a dissolution or legal separation may request entry of a decree of dissolution or legal separation without a hearing by filing an affidavit with the court.

(b) The court may enter a decree of dissolution or legal separation without a hearing when:

(i) the affidavit sets forth a prima facie case that:

(A) the parties have reached a voluntary resolution of all matters related to the dissolution or legal separation;

(B) the parties stipulate to entry of the decree by affidavit in lieu of a hearing; or

(C) a party is found by the court to be in default; and

(ii) it appears to the court that:

(A) the jurisdictional requirements of 40-4-104 exist;

(B) the parties have complied with the financial disclosure provisions of 40-4-252 through 40-4-254 or 40-4-257;

(C) (I) a separation agreement, as provided for in 40-4-201(1), containing provisions for disposition of any property owned by either or both parties, distribution of any debts owed by either or both parties, maintenance of either party, and support, parenting, and parental contact with any minor children of the parties has been filed with the court prior to or concurrently with the affidavit; or

(II) in the case of default, the proposed decree contains identical relief sought in the petition for dissolution or legal separation;

(D) the party filing the affidavit waives the right to appear personally in court to present testimony as to any matters and requests the court to enter a decree without a hearing or the necessity of entry of findings of fact and conclusions of law;

(E) the affidavit includes a proposed decree form; and

(F) the affidavit includes the following statement: "Failure to object to the proposed decree of dissolution or legal separation within 14 days of service shall be presumed to be consent to the proposed form of the decree, and the court may proceed to enter the decree as proposed by affiant unless, within 14 days of service, you file an objection with the court and serve your objection on all parties entitled to service in this action."

(c) Regardless of compliance with the affidavit requirements of subsection (4)(b), the court may require the personal appearance of a party or interested person for any reason the court considers necessary.

(d) Unless all parties in the action have submitted affidavits for dissolution of marriage or legal separation without a hearing, to ensure all parties are apprised of the request for entry of the decree of dissolution or separation without a hearing and have an opportunity to raise an objection

HOUSE JOURNAL  
FIFTEENTH LEGISLATIVE DAY - JANUARY 23, 2015

to the entry of the decree, the party who filed the affidavit shall serve the affidavit and the proposed decree on all parties to the action.

(e) The nonrequesting party has 14 days from the date of service of the affidavit to object to entry of the decree of dissolution or legal separation without a hearing. If no objection is filed within 14 days, the court may proceed to enter the decree as proposed by the requesting party.

(f) If all parties in the action have submitted affidavits for dissolution of marriage or legal separation without a hearing and the court determines that entry of a decree is appropriate, the court may enter the decree without a hearing or waiting for the 14-day objection period to pass."

And, as amended, do pass. Report adopted.

**HB 19**, do pass. Report adopted.

**HB 43**, introduced bill, be amended as follows:

1. Page 1, line 21 through line 22.

**Following:** "final" on line 21

**Strike:** "decisions" on line 21 through "and" on line 22

2. Page 2, line 5.

**Following:** "final"

**Insert:** "final"

**Following:** "parole and"

**Insert:** "recommendations concerning"

3. Page 2, line 10.

**Following:** "final"

**Insert:** "final"

4. Page 2, line 11.

**Following:** "decision"

**Insert:** "concerning parole or a recommendation concerning executive clemency"

5. Page 2, line 12.

**Following:** "final"

**Strike:** "decisions and"

6. Page 4, line 10.

**Strike:** "Decision"

**Insert:** "Recommendation"

7. Page 4, line 12.

**Strike:** "decision" in both places

**Insert:** "recommendation" in both places

And, as amended, do pass. Report adopted.



HOUSE JOURNAL  
FIFTEENTH LEGISLATIVE DAY - JANUARY 23, 2015

**HB 128**, do pass. Report adopted.

**HB 129**, introduced bill, be amended as follows:

1. Page 1, line 15 through line 24.

**Following:** "(2)" on line 15

**Strike:** remainder of line 15 through line 24

**Insert:** "(a) If a parent's change in residence will significantly affect the child's contact with the other parent, the parent who intends to change residence shall, pursuant to 40-4-219, file a motion for amendment of the residential schedule and a proposed revised residential schedule with the court that adopted the residential schedule or the court to which jurisdiction or venue over the child has been transferred. The motion must be served personally or by certified mail on the other parent and served pursuant to the Montana Rules of Civil Procedure on the parent's attorney of record, if the parent has an attorney of record, not less than 30 days before the proposed changed in residence.

(b) The notice pursuant to this subsection (2) is not sufficient unless it contains the following statement: "The relocation of the child may be permitted and the proposed revised residential schedule may be ordered by the court without further proceedings unless within 21 days you file a response and alternate revised residential schedule with the court and serve your response on the person proposing the move and all other persons entitled by the court order to residential time or visitation with the child."

(3) The parent who receives service of a motion to amend the parenting plan pursuant to this section has 21 days after service of the motion to file a response. If the parent receiving notice objects to the proposed revised residential schedule, the responding parent shall include an alternate proposed revised residential schedule with the response. The response must be served as provided for by the Montana Rules of Civil Procedure on the parent proposing to change residence or on the parent's attorney of record if the parent has an attorney of record.

(4) If a parent is properly served with a motion to amend the parenting plan pursuant to this section, failure to file a response within the 21-day period constitutes acceptance of the proposed revised residential schedule.

(5) A person entitled to file an objection to the proposed relocation of the child may file the objection regardless of whether the person has received proper notice."

And, as amended, do pass. Report adopted.

**HB 133**, introduced bill, be amended as follows:

1. Page 1, lines 28 and 29.

**Following:** "before"

**Strike:** remainder of line 28 through line 29

**Insert:** "the following specialty courts:"

2. Page 1, line 30.

**Following:** "46-1-1103"

**Insert:** ", including an adult, a juvenile, and a family drug court"

HOUSE JOURNAL  
FIFTEENTH LEGISLATIVE DAY - JANUARY 23, 2015

3. Page 2, line 1.

**Strike:** "or"

4. Page 2, line 2.

**Strike:** "and"

**Following:** line 2

**Insert:** "(D) a court that serves participants with co-occurring disorders, including a mental health treatment court that is combined with a drug treatment court; or  
(E) a veterans treatment court; and"

And, as amended, do pass. Report adopted.

**HB 161**, do pass. Report adopted.

**TAXATION** (Miller, Chair):

1/23/2015

**HB 56**, introduced bill, be amended as follows:

1. Page 3, line 14 through line 16.

**Strike:** subsection (4) in its entirety

**Renumber:** subsequent subsections

And, as amended, do pass. Report adopted.

**HB 67**, do pass. Report adopted.

**HB 120**, introduced bill, be amended as follows:

1. Title, page 1, line 17.

**Strike:** "AND"

**Insert:** ", "

**Following:** the second "DATE"

**Insert:** ", AND A TERMINATION DATE"

2. Page 8, line 28.

**Following:** line 28

**Insert:** "NEW SECTION. Section 16. Termination. [This act] terminates December 31, 2023."

And, as amended, do pass. Report adopted.

**HB 166**, do pass. Report adopted.

**HB 169**, introduced bill, be amended as follows:

1. Title, page 1, line 6.

**Following:** "BY"

**Insert:** "A TOTAL OF"

HOUSE JOURNAL  
FIFTEENTH LEGISLATIVE DAY - JANUARY 23, 2015

**Strike:** "YEAR"

**Insert:** "YEARS 2015 AND"

2. Title, page 1, line 6.

**Following:** "2016;"

**Insert:** "PROVIDING THAT THE DECREASE DOES NOT APPLY IN A TAX YEAR WITH A PROJECTED GENERAL FUND BUDGET DEFICIT;"

3. Title, page 1, line 7.

**Following:** "PROVIDING"

**Insert:** "AN IMMEDIATE EFFECTIVE DATE,"

**Strike:** "AN"

**Insert:** "A RETROACTIVE"

**Following:** "APPLICABILITY DATE"

**Insert:** ", "

4. Page 2, line 8 through line 10.

**Strike:** subsection (3) in its entirety

**Insert:** "(3) (a) Except as provided in subsection (3)(b), for tax years 2015 and 2016, the amount of tax levied, collected, and paid for each taxpayer is equal to the amount of tax calculated on the brackets of taxable income in subsection (1) multiplied by a tax relief discount factor of 0.975. The tax relief discount factor must be available to a taxpayer regardless of whether the tax year is a calendar year or a fiscal year.

(b) Subsection (3)(a) does not apply in a tax year with a projected general fund budget deficit as provided in 17-7-140."

5. Page 2, line 16 through line 17.

**Strike:** section 4 in its entirety

**Insert:** "NEW SECTION. **Section 4. Effective date.** [This act] is effective on passage and approval."

**Insert:** "NEW SECTION. **Section 5. Retroactive applicability.** [This act] applies retroactively, within the meaning of 1-2-109, to income tax years beginning after December 31, 2014."

**Renumber:** subsequent sections

And, as amended, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**Senate bills** passed and transmitted to the House for concurrence:

1/21/2015

**SB 10**, introduced by Keane

**SB 19**, introduced by Ripley

**SB 21**, introduced by Cohenour

**SB 32**, introduced by Sesso

HOUSE JOURNAL  
FIFTEENTH LEGISLATIVE DAY - JANUARY 23, 2015

**SB 45**, introduced by Brenden  
**SB 75**, introduced by Vuckovich  
**SB 108**, introduced by F. Moore  
**SB 111**, introduced by Ankney  
**SB 114**, introduced by Debby Barrett

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 304**, introduced by M. Tropila, referred to Judiciary.  
**HB 305**, introduced by K. Dudik, referred to Human Services.  
**HB 306**, introduced by J. Eck, referred to Judiciary.  
**HB 307**, introduced by M. Cuffe, referred to Transportation.  
**HB 308**, introduced by J. Essmann, referred to Appropriations.  
**HB 309**, introduced by K. Kelker, referred to Judiciary.  
**HB 310**, introduced by T. Jacobson, D. Ankney, B. Bennett, T. Brown, Z. Brown, E. Buttrey, P. Connell, W. Curdy, G. Custer, M. Dunwell, M. Funk, R. Hollandsworth, J. Karjala, S. Lavin, E. Lieser, M. MacDonald, W. McKamey, A. Olszewski, Z. Perry, A. Person, C. Pope, C. Schreiner, B. Smith, referred to Taxation.

The following House joint resolution was introduced, read first time, and referred to committee:

**HJR 7**, introduced by T. Steenberg, T. Berry, J. Eck, referred to Federal Relations, Energy, and Telecommunications.

The following Senate bills were introduced, read first time, and referred to committees:

**SB 10**, introduced by J. Keane (by request of the Public Service Commission), referred to Federal Relations, Energy, and Telecommunications.  
**SB 19**, introduced by R. Ripley, referred to Agriculture.  
**SB 21**, introduced by J. Cohenour (by request of the Department of Fish, Wildlife, and Parks), referred to Fish, Wildlife and Parks.  
**SB 32**, introduced by J. Sesso (by request of the Department of Natural Resources and Conservation and the Office of Budget and Program Planning), referred to Appropriations.  
**SB 45**, introduced by J. Brenden, referred to State Administration.  
**SB 75**, introduced by G. Vuckovich (by request of the Department of Administration), referred to Business and Labor.  
**SB 108**, introduced by F. Moore, referred to Agriculture.  
**SB 111**, introduced by D. Ankney, referred to Federal Relations, Energy, and Telecommunications.  
**SB 114**, introduced by Debby Barrett, referred to Federal Relations, Energy, and Telecommunications.

HOUSE JOURNAL  
FIFTEENTH LEGISLATIVE DAY - JANUARY 23, 2015

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion Carried. Representative McCarthy in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 26** - Representative MacDonald moved **HB 26** do pass. Motion carried as follows:

Yeas: B. Bennett, Berglee, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 72

Nays: Ballance, J. Bennett, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Lamm, Mandeville, Manzella, Meyers, Monforton, Mortensen, Noland, Randall, Schwaderer, Staffanson, Tschida, White, Zolnikov.

Total 28

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 44** - Representative Berry moved consideration of **HB 44** be passed for the day. Motion Carried.

**HB 53** - Representative Person moved **HB 53** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price,

HOUSE JOURNAL  
FIFTEENTH LEGISLATIVE DAY - JANUARY 23, 2015

Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Burnett, Cuffe, Moore.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 111** - Representative Regier moved **HB 111** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 99

Nays: Zolnikov.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 115** - Representative Funk moved **HB 115** do pass.

**HB 115** - Representative Regier moved **HB 115**, second reading copy, be amended as follows:

1. Page 1, lines 16 through 17.

**Strike:** subsection (2) in its entirety

**Renumber:** subsequent subsection

HOUSE JOURNAL  
FIFTEENTH LEGISLATIVE DAY - JANUARY 23, 2015

Amendment adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Karjala, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Smith, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 57

Nays: B. Bennett, Clark, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Hayman, Hill, Hunter, Jacobson, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 43

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 115** - Representative Pierson moved **HB 115**, second reading copy, be amended as follows:

1. Title, page 1, line 8.

**Strike:** "AUTHORIZING COLLECTION OF WORKFORCE DATA;"

2. Page 2, line 18 through line 21.

**Strike:** subsection (1)(k) in its entirety

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

HOUSE JOURNAL  
FIFTEENTH LEGISLATIVE DAY - JANUARY 23, 2015

Nays: Schreiner.

Total 1

Excused: None.

Total 0

Absent or not voting: Olszewski.

Total 1

**HB 115** - Representative Funk moved **HB 115**, as amended, do pass. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Garner, Greef, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Woods.

Total 61

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, Hagstrom, Hertz, Hess, Lamm, Lang, Mandeville, Manzella, Miller, Monforton, Moore, Mortensen, Noland, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, Wittich, Zolnikov, Mr. Speaker.

Total 39

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 130** - Representative Hill moved **HB 130** do pass. Motion carried as follows:

Yeas: J. Bennett, Berglee, Berry, Z. Brown, Cook, Cuffe, Custer, Doane, Dudik, Dunwell, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Jones, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, MacDonald, Mandeville, Manzella, McCarthy, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Mortensen, Noland, Olsen, Olszewski, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Ricci, Richmond, Salomon, Shaw, Staffanson, Steenberg, Wagoner, Webber, White, Williams, Wilson, Wittich, Mr. Speaker.

Total 67



HOUSE JOURNAL  
FIFTEENTH LEGISLATIVE DAY - JANUARY 23, 2015

Nays: Ballance, B. Bennett, Brodehl, B. Brown, Burnett, Clark, Court, Curdy, Eck, Ehli, Funk, Hagstrom, Holmlund, Hunter, Jacobson, Karjala, Lynch, McClafferty, Miller, Moore, Noonan, Osmundson, Peppers, Regier, Schreiner, Schwaderer, Smith, Swanson, Tropila, Tschida, Welborn, Woods, Zolnikov.

Total 33

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 135** - Representative Eck moved **HB 135** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Clark, Miller, Tschida.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 139** - Representative McConnell moved **HB 139** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner,

HOUSE JOURNAL  
FIFTEENTH LEGISLATIVE DAY - JANUARY 23, 2015

Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Staffanson.

Total 1

Majority Leader Regier moved the committee rise and report. Motion Carried. Committee arose. House resumed. Mr. Speaker presiding. Chair McCarthy moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 99

Nays: None.

Total 0

Excused: Mr. Speaker.

Total 1

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
FIFTEENTH LEGISLATIVE DAY - JANUARY 23, 2015

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 16** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, Burnett, Clark, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov.

Total 55

Nays: B. Bennett, B. Brown, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 44

Excused: Mr. Speaker.

Total 1

Absent or not voting: None.

Total 0

**HB 36** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods.

Total 95

Nays: Burnett, Monforton, Wittich, Zolnikov.

Total 4

HOUSE JOURNAL  
FIFTEENTH LEGISLATIVE DAY - JANUARY 23, 2015

Excused: Mr. Speaker.

Total 1

Absent or not voting: None.

Total 0

**HB 80** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 99

Nays: None.

Total 0

Excused: Mr. Speaker.

Total 1

Absent or not voting: None.

Total 0

**HB 83** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 99

Nays: None.

Total 0

HOUSE JOURNAL  
FIFTEENTH LEGISLATIVE DAY - JANUARY 23, 2015

Excused: Mr. Speaker.

Total 1

Absent or not voting: None.

Total 0

**HB 98** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 92

Nays: J. Bennett, Doane, Hess, Manzella, Mortensen, Ricci, Staffanson.

Total 7

Excused: Mr. Speaker.

Total 1

Absent or not voting: None.

Total 0

**HB 99** passed as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hagstrom, Hayman, Hertz, Hill, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 54

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hess, Hollandsworth, Jones, Lamm, Lang, Laszloffy, Mandeville, Manzella, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 45

HOUSE JOURNAL  
FIFTEENTH LEGISLATIVE DAY - JANUARY 23, 2015

Excused: Mr. Speaker.

Total 1

Absent or not voting: None.

Total 0

**HB 102** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Brodehl, Z. Brown, Clark, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, White, Williams, Wilson, Woods.

Total 80

Nays: J. Bennett, Berry, B. Brown, Burnett, Cook, Cuffe, Essmann, Fitzpatrick, Flynn, Hess, Lamm, Laszloffy, Miller, Noland, Staffanson, Wagoner, Welborn, Wittich, Zolnikov.

Total 19

Excused: Mr. Speaker.

Total 1

Absent or not voting: None.

Total 0

**HB 103** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Funk, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Laszloffy, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods.

Total 71

Nays: J. Bennett, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Hess, Lamm, Lang, Lavin, Mandeville, Monforton, Mortensen, Noland, Randall, Redfield, Regier, Ricci, Wagoner, Wittich, Zolnikov.

Total 27

HOUSE JOURNAL  
FIFTEENTH LEGISLATIVE DAY - JANUARY 23, 2015

Excused: Mr. Speaker.

Total 1

Absent or not voting: Pinocci.

Total 1

**HB 124** passed as follows:

Yeas: B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods.

Total 91

Nays: Ballance, J. Bennett, Brodehl, Doane, Flynn, Redfield, Wittich, Zolnikov.

Total 8

Excused: Mr. Speaker.

Total 1

Absent or not voting: None.

Total 0

**HB 144** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 98

Nays: Lynch.

Total 1

HOUSE JOURNAL  
FIFTEENTH LEGISLATIVE DAY - JANUARY 23, 2015

Excused: Mr. Speaker.

Total 1

Absent or not voting: None.

Total 0

**HB 184** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 98

Nays: None.

Total 0

Excused: Mr. Speaker.

Total 1

Absent or not voting: Schwaderer.

Total 1

**HB 199** passed as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Funk, Garner, Hagstrom, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 63

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Doane, Essmann, Fitzpatrick, Flynn, Glimm, Greef, Harris, Hertz, Hess, Jones, Lamm, Lang, Laszloffy, Lavin, Manzella, Miller, Monforton, Mortensen, Pinocci, Randall, Redfield, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov.

Total 36



HOUSE JOURNAL  
FIFTEENTH LEGISLATIVE DAY - JANUARY 23, 2015

Excused: Mr. Speaker.

Total 1

Absent or not voting: None.

Total 0

**MOTIONS**

Majority Leader Regier moved **HB 24** be moved from the Human Services committee to the Appropriations committee.

Majority Leader Regier moved **HB 111** be moved from the Committee of the Whole to the Appropriations committee.

**UNFINISHED BUSINESS**

Mr. Speaker, I move that the following undersigned name be **ADDED** as sponsor to **HB 233**  
Motion Carried.

**HB 233** (M. Tropila, Chief Sponsor)  
Brodehl.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 8:00 a.m., Saturday, January 24, 2015. Motion carried.

House adjourned at 2:26 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
SIXTEENTH LEGISLATIVE DAY**

Helena, Montana  
January 24, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Meyers. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Harris and Knudsen, excused. Quorum present.

**BILLS** (Welborn, Chair):

1/24/2015

Correctly printed: **HB 67, HB 146, HB 150.**

Correctly engrossed: **HB 88, HB 132, HB 138, HB 154.**

Transmitted to the Senate: **HB 16, HB 36, HB 80, HB 83, HB 98, HB 99, HB 102, HB 103, HB 124, HB 144, HB 184, HB 199.**

**REPORTS OF STANDING COMMITTEES**

**FISH, WILDLIFE AND PARKS** (Flynn, Chair):

1/22/2015

**HB 146**, do pass. Report adopted.

**HB 150**, do pass. Report adopted.

**HUMAN SERVICES** (Wittich, Chair):

1/23/2015

**HB 138**, introduced bill, be amended as follows:

1. Title, page 1, line 5.

**Strike:** "A MENTAL HEALTH FACILITY"

**Insert:** "THE MONTANA STATE HOSPITAL"

2. Title, page 1, line 6.

**Strike:** "53-1-603, 53-21-180,"

3. Page 1, line 11 through page 2, line 17.

**Strike:** section 1 through section 2 in their entirety

**Renumber:** subsequent sections

4. Page 3, line 2.

**Strike:** "that meets the requirements of 53-21-180"

5. Page 3, line 4.

**Insert:** "(4) (a) The discharge plan for a person admitted to the Montana state hospital may not allow for the discharge of the person directly into a homeless shelter or to a location that is outdoors or outside of a building. The Montana state hospital shall ensure that its compliance with this requirement does not delay a person's discharge."

HOUSE JOURNAL  
SIXTEENTH LEGISLATIVE DAY - JANUARY 24, 2015

(b) A discharge plan that provides for discharge into a temporary housing situation must include information on the resources available to assist the person in finding permanent housing."

6. Page 3, line 16.

**Strike:** "that meets the requirements of 53-21-180"

7. Page 3, line 30.

**Strike:** "or another mental health facility"

8. Page 5, line 7.

**Strike:** "as required under 53-21-180"

9. Page 5, line 14 through line 15.

**Strike:** "or" on line 14 through "facility" on line 15

And, as amended, do pass. Report adopted.

**JUDICIARY** (Bennett, Chair):

1/23/2015

**HB 88**, introduced bill, be amended as follows:

1. Title, page 1, lines 6 and 7.

**Strike:** "REQUIRING THE DISTRICT COURT TO DESIGNATE A SEXUAL OFFENDER EVALUATOR TO CONDUCT A PSYCHOSEXUAL EVALUATION;"

2. Title, page 1, line 11.

**Strike:** "46-23-506,"

3. Page 1, lines 23 and 24.

**Strike:** "the district court shall designate a sexual offender evaluator to conduct "

**Insert:** "the investigation must include"

4. Page 1, line 24.

**Strike:** "to make"

5. Page 1, line 27.

**Strike:** "The district court shall select"

**Insert:** "The evaluation must be completed by"

6. Page 2, line 4.

**Strike:** "or the defendant"

7. Page 7, line 30 through page 9, line 10.

**Strike:** section 5 in its entirety

**Renumber:** subsequent sections

HOUSE JOURNAL  
SIXTEENTH LEGISLATIVE DAY - JANUARY 24, 2015

8. Page 10, line 14.

**Following:** "federal government"

**Strike:** "that"

**Insert:** "who are not currently under the supervision of the department or the youth court and"

9. Page 10, line 15.

**Following:** "assessments"

**Insert:** "and psychosexual evaluations"

10. Page 10, line 16.

**Following:** "assessment"

**Strike:** "must"

**Insert:** "or psychosexual evaluation shall"

11. Page 10, line 18.

**Following:** "association"

**Insert:** "or has comparable credentials acceptable to the department of labor and industry"

And, as amended, do pass. Report adopted.

**TAXATION** (Miller, Chair):

1/23/2015

**HB 154**, introduced bill, be amended as follows:

1. Title, page 1, line 6.

**Following:** "LEGISLATURE;"

**Insert:** "PROVIDING CRITERIA FOR THE COMMITTEE TO USE WHEN REVIEWING TAX CREDITS; AND"

2. Title, page 1, line 7.

**Strike:** "15-30-2302,"

3. Title, page 1, line 8.

**Following:** "15-30-2364,"

**Insert:** "15-30-2365,"

4. Title, page 1, line 9.

**Following:** "15-30-2381,"

**Insert:** "15-31-125, 15-31-130, 15-31-131, 15-31-132, 15-31-133, 15-31-134, 15-31-150, 15-31-171,"

5. Title, page 1, line 10.

**Following:** "15-32-703,"

**Insert:** "15-50-207,"

HOUSE JOURNAL  
SIXTEENTH LEGISLATIVE DAY - JANUARY 24, 2015

6. Page 1, line 16 through line 17.

**Strike:** subsection (a) in its entirety

**Renumber:** subsequent subsections

7. Page 1, line 21.

**Strike:** "and"

8. Page 1, line 23.

**Following:** "15-30-2326"

**Insert:** ";

(f) the credit for additional license fees paid by contractors provided for in 15-50-207; and

(g) the credit for new or expanded industry provided for in 15-31-124 through 15-31-127"

9. Page 1, line 28.

**Strike:** "and"

10. Page 1, line 29.

**Following:** "15-30-2336"

**Insert:** "; and

(f) the credit for day-care facilities provided for in 15-30-2365 and 15-31-133"

11. Page 2, line 4.

**Following:** "15-30-2320"

**Insert:** "and 15-31-137"

12. Page 2, line 10.

**Following:** "15-30-2373"

**Insert:** "and 15-31-131"

13. Page 2, line 11.

**Following:** "15-30-2367"

**Insert:** "and 15-31-132"

14. Page 2, line 13.

**Following:** "15-30-2358"

**Insert:** "and 15-31-150"

15. Page 2, line 14.

**Following:** "15-30-2356"

**Insert:** "and 15-31-134"

16. Page 2, line 15.

**Following:** "15-30-2368"

**Insert:** "and 15-31-130"

HOUSE JOURNAL  
SIXTEENTH LEGISLATIVE DAY - JANUARY 24, 2015

17. Page 2, line 16.

**Following:** "15-30-2381"

**Insert:** "and 15-31-171"

18. Page 2, line 20.

**Following:** "credit."

**Insert:** "The revenue and transportation interim committee shall review the expiring credits using the following criteria:

- (a) whether the credit changes taxpayer decisions, including whether the credit rewards decisions that may have been made regardless of the existence of the tax credit;
- (b) to what extent the credit benefits some taxpayers at the expense of other taxpayers;
- (c) whether the credit has out-of-state beneficiaries;
- (d) the timing of costs and benefits of the credit and how long the credit is effective;
- (e) any adverse impacts of the credit or its elimination and whether the benefits of continuance or elimination outweigh adverse impacts; and
- (f) the extent to which benefits of the credit affect the larger economy."

19. Page 3, line 22 through page 4, line 16.

**Strike:** section 4 in its entirety

**Renumber:** subsequent sections

20. Page 13, line 18.

**Following:** line 18

**Insert:** "**Section 17.** Section 15-30-2365, MCA, is amended to read:

**"15-30-2365. Credit for day-care facilities.** (1) There is a credit against the taxes otherwise due under this chapter allowable to an employer based on the amounts paid or incurred during the tax year by the employer to acquire, construct, reconstruct, renovate, or otherwise improve real property to be used primarily as a day-care facility. The credit must be computed in accordance with the provisions of 15-31-133.

(2) This tax credit is subject to termination on December 31, 2019, and every 8 years thereafter as provided in [section 1]."

**Renumber:** subsequent sections

21. Page 16, line 22.

**Following:** line 22

**Insert:** "**Section 23.** Section 15-31-125, MCA, is amended to read:

**"15-31-125. Determination of tax credit.** (1) A new or expanding manufacturing corporation may receive an income tax credit based on a percentage of wages paid its new employees within this state for a period of 3 years as provided in this section. For the first 3 years of operation of a new corporation or the first 3 years of expansion of an expanding corporation, a credit of 1% of the total new wages paid in this state, as wages are defined in 39-51-201, may be allowed. In determining total wages for an expanding corporation, only those wages paid in support of the expansion are considered in ascertaining the credit. The payroll and number of jobs of the corporation in the 12-month period immediately preceding the expansion are averaged to determine eligibility for the credit.

HOUSE JOURNAL  
SIXTEENTH LEGISLATIVE DAY - JANUARY 24, 2015

(2) This tax credit is subject to termination on December 31, 2017, and every 8 years thereafter as provided in [section 1]."

**Insert: "Section 24.** Section 15-31-130, MCA, is amended to read:

**"15-31-130. Tax credit for health insurance premiums paid -- eligible small employers -- corporations.** (1) There is a tax credit, as determined under Title 33, chapter 22, part 20, for eligible small employers against the taxes imposed in 15-31-101 and 15-31-502 for qualifying premiums paid by the eligible small employer for coverage of eligible employees and eligible employees' spouses and dependents under a group health plan subject to Title 33, chapter 22, part 20.

(2) This tax credit is subject to termination on December 31, 2023, and every 8 years thereafter as provided in [section 1]."

**Insert: "Section 25.** Section 15-31-131, MCA, is amended to read:

**"15-31-131. Credit for dependent care assistance and referral services.** (1) There is a credit against the taxes otherwise due under this chapter allowable to an employer for amounts paid or incurred during the tax year by the employer for dependent care assistance actually provided to or on behalf of an employee if the assistance is furnished by a registered or licensed day-care provider and pursuant to a program that meets the requirements of section 129(d)(2) through (6) of the Internal Revenue Code, 26 U.S.C. 129(d)(2) through (d)(6).

(2) (a) The amount of the credit allowed under subsection (1) is 25% of the amount paid or incurred by the employer during the tax year, but the credit may not exceed \$1,575 of day-care assistance actually provided to or on behalf of the employee.

(b) For the purposes of this subsection, marital status must be determined under the rules of section 21(e)(3) and (4) of the Internal Revenue Code, 26 U.S.C. 21(e)(3) and (e)(4).

(c) In the case of an onsite facility, the amount upon which the credit allowed under subsection (1) is based, with respect to any dependent, must be based upon utilization and the value of the services provided.

(3) (a) In addition to the credit allowed under subsection (1), there is a credit against the taxes otherwise due under this chapter allowable to an employer for amounts paid or incurred during the tax year by the employer to provide information and referral services to assist employees of the employer employed within this state to obtain dependent care.

(b) The amount of the credit allowed under subsection (3)(a) is equal to 25% of the amount paid or incurred in the tax year.

(4) An amount paid or incurred during the tax year of an employer in providing dependent care assistance to or on behalf of any employee does not qualify for the credit allowed under subsection (1) if the amount was paid or incurred to an individual described in section 129(c)(1) or (2) of the Internal Revenue Code, 26 U.S.C. 129(c)(1) or (c)(2).

(5) An amount paid or incurred by an employer to provide dependent care assistance to or on behalf of an employee does not qualify for the credit allowed under subsection (1):

(a) to the extent the amount is paid or incurred pursuant to a salary reduction plan; or

(b) if the amount is paid or incurred for services not performed within this state.

(6) If the credit allowed under subsection (1) or (3) is claimed, the amount of any deduction allowed or allowable under this chapter for the amount that qualifies for the credit (or upon which the credit is based) must be reduced by the dollar amount of the credit allowed. The election to claim a credit allowed under this section must be made at the time of filing the tax return.

(7) The amount upon which the credit allowed under subsection (1) is based may not be

HOUSE JOURNAL  
SIXTEENTH LEGISLATIVE DAY - JANUARY 24, 2015

included in the gross income of the employee to whom the dependent care assistance is provided. However, the amount excluded from the income of an employee under this section may not exceed the limitations provided in section 129(b) of the Internal Revenue Code, 26 U.S.C. 129(b). For purposes of Title 15, chapter 30, part 25, with respect to an employee to whom dependent care assistance is provided, "wages" does not include any amount excluded under this subsection. Amounts excluded under this subsection do not qualify as expenses for which a deduction is allowed to the employee under 15-30-2131.

(8) Any tax credit otherwise allowable under this section that is not used by the taxpayer in a particular year may be carried forward and offset against the taxpayer's tax liability for the next succeeding tax year. Any credit remaining unused in the next succeeding tax year may be carried forward and used in the second succeeding tax year and likewise through the fifth year succeeding the tax year in which the credit was first allowed or allowable. A credit may not be carried forward beyond the fifth succeeding tax year.

(9) If the taxpayer is an S. corporation, as defined in section 1361 of the Internal Revenue Code, 26 U.S.C. 1361, and the taxpayer elects to take tax credit relief, the election may be made on behalf of the corporation's shareholders. A shareholder's credit must be computed using the shareholder's pro rata share of the corporation's costs that qualify for the credit. In all other respects, the effect of the tax credit applies to the corporation as otherwise provided by law.

(10) For purposes of the credit allowed under subsection (1) or (3):

(a) the definitions and special rules contained in section 129(e) of the Internal Revenue Code, 26 U.S.C. 129(e), apply to the extent applicable; and

(b) "employer" means an employer carrying on a business, trade, occupation, or profession in this state.

(11) This tax credit is subject to termination on December 31, 2023, and every 8 years thereafter as provided in [section 1]."

**Insert: "Section 26.** Section 15-31-132, MCA, is amended to read:

**"15-31-132. Tax credit for providing disability insurance for employees.** An employer is entitled to a credit against taxes otherwise due under this chapter for the amount of premiums for disability insurance paid by the employer for the employer's employees, subject to the following requirements:

(1) The tax credit is available only to employers who:

(a) have been in business in Montana for at least 12 months; and

(b) employ 20 or fewer employees working at least 20 hours a week.

(2) At least 50% of each employee's insurance premium is paid by the employer.

(3) Subject to the provisions of subsection (4), an employer is entitled to a tax credit for a maximum of 10 employees, computed as follows:

(a) a credit of \$25 a month for each employee if the employer pays 100% of the employee's premium; or

(b) a credit equal to \$25 a month multiplied by the percentage of the employee's premium paid by the employer for each employee if the employer pays less than 100% of the employee's premium.

(4) The credit may not exceed 50% of the premium cost for each employee and may not be claimed for a period of more than 36 consecutive months. A tax credit may not be granted to an employer or the employer's successor within 10 years of the last consecutive credit claimed.

(5) The credit allowed under this section may not be claimed as a carryback or carryforward



HOUSE JOURNAL  
SIXTEENTH LEGISLATIVE DAY - JANUARY 24, 2015

and may not be refunded if the employer has no tax liability.

(6) This tax credit is subject to termination on December 31, 2023, and every 8 years thereafter as provided in [section 1]."

**Insert: "Section 27.** Section 15-31-133, MCA, is amended to read:

**"15-31-133. Credit for day-care facilities.** (1) There is a credit against the taxes otherwise due under this chapter that is allowable to an employer based on the amounts paid or incurred during the tax year by the employer to acquire, construct, reconstruct, renovate, or otherwise improve real property so that the property may be used primarily as a day-care facility. Subject to the conditions of this section, the amount of the credit is equal to:

- (a) the amount of the day-care facility credit determined under subsection (2); and
- (b) any day-care facility tax credit carryforwards.

(2) The credit allowed under subsection (1) is the lesser of:

(a) \$2,500, multiplied by the number of dependents that the day-care facility is designed to accommodate at the end of the first tax year for which credit is first claimed;

(b) 15% of the cost of the acquisition, construction, reconstruction, renovation, or other improvement; or

(c) \$50,000.

(3) The amounts paid or incurred by the employer for the acquisition, construction, reconstruction, renovation, or other improvement to real property that qualify for the credit may be paid or incurred either:

(a) to another person to be used to acquire, construct, reconstruct, renovate, or otherwise improve real property that is operated as a day-care facility and with whom the employer contracts to make day-care assistance payments, and the payments are excluded, or partially excluded, under 26 U.S.C. 129 from the income of the employee for federal tax purposes; or

(b) to acquire, construct, reconstruct, renovate, or otherwise improve real property that is operated by the employer, or a combination of employers, to provide day-care assistance to the employees of the employer under a program or programs, and the program or programs are excluded, or partially excluded, under 26 U.S.C. 129 from the income of the employee for federal tax purposes.

(4) To qualify for the credit allowed under subsection (1), the following conditions apply:

(a) The property must be in actual use in Montana as a day-care facility on the last day of the tax year for which the credit or any carryforward amount of the credit is claimed.

(b) Day-care services assisted by the employer must take place on the property on the last day of the tax year for which the credit or any carryforward amount of the credit is claimed.

(c) The person operating the day-care facility must hold a current license or registration certificate under Title 52, chapter 2, part 7, on the last day of the tax year for which the credit under subsection (1) is claimed.

(d) The day-care facility must accommodate six or more children.

(e) The day-care facility must be placed in operation before January 1, 2006.

(5) The total amount of the costs upon which the credit allowed under subsection (1) is based and the total amount of the credit must be determined by the employer, subject to rules adopted by the department, during the tax year in which the property acquired, constructed, reconstructed, renovated, or otherwise improved is first placed in operation as a day-care facility.

(6) The amount paid or incurred by the employer upon which the credit allowed under subsection (1) is based must be excluded from the income of an employee subject to the limitations

HOUSE JOURNAL  
SIXTEENTH LEGISLATIVE DAY - JANUARY 24, 2015

provided in 26 U.S.C. 129(b).

(7) The taxpayer is allowed one-tenth of the total credit determined under subsection (2) in the first tax year in which the taxpayer may claim the credit and one-tenth of the total credit is allowed in each succeeding tax year, not to exceed 9 tax years.

(8) Except as provided in subsections (4)(a) and (4)(b), if the tax credit allowed under subsection (1) exceeds the taxpayer's liability, the credit may be carried forward to the succeeding tax year or years, except that a carryforward amount is not allowed beyond the period allowed for the credit as provided in subsection (7).

(9) The provisions of this section do not affect the computation of depreciation or basis for a day-care facility. However, if the credit allowed under this section is claimed, the amount of any deduction that is allowed or allowable under this chapter for the amounts paid or incurred, or upon which the credit is based, must be reduced by the dollar amount of the credit allowed.

(10) The department shall require evidence from the taxpayer that the person operating the day-care facility on the date that the taxpayer's tax year ends is licensed or registered to operate the facility. The evidence must accompany the tax return in which any amount of tax credit allowed under this section is claimed. If the evidence is not furnished, the credit is not allowed for the tax year for which the evidence is not furnished. Upon request of the department, the department of public health and human services shall report to the department on whether the day-care facility was operated as a licensed or registered day-care facility on the last day of the tax year of the person claiming the credit.

(11) The employer must meet any other requirements or furnish any information to the department that the department requires under rules adopted by the department to carry out the purposes of this section.

(12) If the credit allowed under this section is claimed by a small business corporation, as defined in 15-30-3301, or a partnership, the credit must be attributed to shareholders or partners, using the same proportion to report the corporation's or partnership's income or loss for Montana income tax purposes.

(13) For purposes of the credit allowed under subsection (1):

(a) the definitions and special rules contained in 26 U.S.C. 129(e) apply to the extent applicable; and

(b) "employer" means an employer carrying on a business, trade, occupation, or profession in this state.

(14) This tax credit is subject to termination on December 31, 2019, and every 8 years thereafter as provided in [section 1]."

**Insert: "Section 28.** Section 15-31-134, MCA, is amended to read:

**"15-31-134. Empowerment zone new employees -- tax credit.** (1) There is a credit for taxes due under 15-31-121 or 15-31-122 for an employer for each new employee at a business in an empowerment zone created pursuant to Title 7, chapter 21, part 37. The taxpayer must be certified by the department of labor and industry to be eligible to receive the credit as provided in 7-21-3710.

(2) The amount of the credit for each qualifying employee is:

1st year of employment	\$500
2nd year of employment	\$1,000
3rd year of employment	\$1,500

(3) If the amount of the credit exceeds the taxpayer's liability, the credit may be carried

HOUSE JOURNAL  
SIXTEENTH LEGISLATIVE DAY - JANUARY 24, 2015

forward 7 years and carried back 3 years. The entire amount of the tax credit not used in the year earned must be carried first to the earliest tax year in which the credit may be applied and then to each succeeding tax year.

(4) If the credit allowed under this section is claimed by a small business corporation, as defined in 15-30-3301, a pass-through entity, or a partnership, the credit must be attributed to shareholders, owners, or partners using the same proportion as used to report the entity's income or loss.

(5) This tax credit is subject to termination on December 31, 2023, and every 8 years thereafter as provided in [section 1]."

**Insert: "Section 29.** Section 15-31-150, MCA, is amended to read:

**"15-31-150. Credit for research expenses and research payments.** (1) (a) There is a credit against taxes otherwise due under this chapter for increases in qualified research expense and basic research payments for research conducted in Montana. Except as provided in this section, the credit must be determined in accordance with section 41 of the Internal Revenue Code, 26 U.S.C. 41, as that section read on July 1, 1996, or as subsequently amended.

(b) For purposes of the credit, the:

(i) applicable percentage specified in 26 U.S.C. 41(a) is 5%;

(ii) election of the alternative incremental credit allowed under 26 U.S.C. 41(c)(4) does not apply;

(iii) special rules in 26 U.S.C. 41(g) do not apply; and

(iv) termination date provided for in 26 U.S.C. 41(h)(1)(B) does not apply.

(2) The credit allowed under this section for a tax year may not exceed the tax liability under chapter 30 or 31. A credit may not be refunded if a taxpayer has tax liability less than the amount of the credit.

(3) The credit allowed under this section may be used as a carryback against taxes imposed under chapter 30 or 31 for the 2 preceding tax years and may be used as a carryforward against taxes imposed by chapter 30 or 31 for the 15 succeeding tax years. The entire amount of the credit not used in the year earned must be carried first to the earliest tax year in which the credit may be applied and then to each succeeding tax year.

(4) A taxpayer may not claim a current year credit under this section after December 31, 2010. However, any unused credit may be carried back or forward as provided in subsection (3).

(5) A corporation, an individual, a small business corporation, a partnership, a limited liability partnership, or a limited liability company qualifies for the credit under this section. If the credit is claimed by a small business corporation, a partnership, a limited liability partnership, or a limited liability company, the credit must be attributed to the individual shareholders, partners, members, or managers in the same proportion used to report income or loss for state tax purposes. The allocations in 26 U.S.C. 41(f) do not apply to this section.

(6) For purposes of calculating the credit, the following definitions apply:

(a) "Gross receipts" means:

(i) for a corporation that has income from business activity that is taxable only within the state, all gross sales less returns of the corporation for the tax year; and

(ii) for a corporation that has income from business activity that is taxable both within and outside of the state, only the gross sales less returns of the corporation apportioned to Montana for the tax year.

(b) "Qualified research" has the meaning provided in 26 U.S.C. 41(d), but is limited to

HOUSE JOURNAL  
SIXTEENTH LEGISLATIVE DAY - JANUARY 24, 2015

research conducted in Montana.

(c) "Qualified research expenses" has the meaning provided in 26 U.S.C. 41(b), but includes only the sum of amounts paid or incurred by the taxpayer for research conducted in Montana.

(d) "Supplies" has the meaning provided in 26 U.S.C. 41(b)(2)(C), but includes only those supplies used in the conduct of qualified research in Montana.

(e) (i) "Wages" has the meaning provided in 39-51-201, except as provided in subsection (6)(e)(ii) of this section, and includes only those wages paid or incurred for an employee for qualified services performed by the employee in Montana.

(ii) Notwithstanding the exception to the definition of wages in 39-51-201(24)(b)(v), for a self-employed individual and an owner-employee, the term includes the income, as defined in 26 U.S.C. 401(c)(2), of the employee.

(7) The department shall adopt rules, prepare forms, maintain records, and perform other duties necessary to implement this section. In adopting rules to implement this section, the department shall conform the rules to regulations prescribed by the secretary of the treasury under 26 U.S.C. 41 except to the extent that the regulations need to be modified to conform to this section.

(8) This tax credit is subject to termination on December 31, 2023, and every 8 years thereafter as provided in [section 1]."

**Insert: "Section 30.** Section 15-31-171, MCA, is amended to read:

**"15-31-171. Tax credit for providing temporary emergency lodging.** (1) There is a credit for taxes otherwise due under this chapter for participation in the temporary emergency lodging program established in 50-51-114.

(2) The tax credit is:

(a) equal to \$30 for each day of lodging provided; and

(b) limited to a maximum of 5 nights' lodging for each individual per calendar year.

(3) The credit may be claimed only for lodging provided in Montana.

(4) If the amount of the credit exceeds the taxpayer's liability under this chapter, the amount of the excess must be refunded to the taxpayer. The credit may be claimed even if the taxpayer has no tax liability.

(5) If the credit allowed under this section is claimed by a small business corporation, as defined in 15-30-3301, or a partnership, the credit must be attributed to shareholders or partners, using the same proportion to report the corporation's or partnership's income or loss for Montana income tax purposes.

(6) This tax credit is subject to termination on December 31, 2023, and every 8 years thereafter as provided in [section 1]."

**Renumber:** subsequent sections

22. Page 26, line 2.

**Following:** line 2

**Insert: "Section 40.** Section 15-50-207, MCA, is amended to read:

**"15-50-207. Credit against other taxes -- credit for personal property taxes and certain fees.** (1) (a) The additional license fees withheld or otherwise paid as provided in this chapter may be used as a credit on the contractor's corporate income tax provided for in chapter 31 of this title or on the contractor's income tax provided for in chapter 30, depending upon the type

HOUSE JOURNAL  
SIXTEENTH LEGISLATIVE DAY - JANUARY 24, 2015

of tax the contractor is required to pay under the laws of the state.

(b) The credit allowed under this subsection (1) may be used as a carryforward against taxes imposed by chapter 30 or 31 for the 5 succeeding tax years. The entire amount of the credit not used in the year earned must be carried first to the earliest tax year in which the credit may be applied and then to each succeeding tax year.

(2) Personal property taxes and the fee in lieu of tax on buses, trucks having a manufacturer's rated capacity of more than 1 ton, or truck tractors, as provided in 61-3-529, and the registration fee on light vehicles, as provided in 61-3-321(2) and 61-3-562, paid in Montana on any personal property or vehicle of the contractor that is used in the business of the contractor and is located within this state may be credited against the license fees required under this chapter. However, in computing the tax credit allowed by this section against the contractor's income tax or corporate income tax, the tax credit against the license fees required under this chapter may not be considered as license fees paid for the purpose of the income tax or corporate income tax credit.

(3) This tax credit is subject to termination on December 31, 2017, and every 8 years thereafter as provided in [section 1]."

**Renumber:** subsequent sections

23. Page 27, line 14.

**Following:** line 14

**Insert:** "NEW SECTION. **Section 41. Transition -- carryover of credits.** A credit allowed a taxpayer prior to the termination date provided for in [this act] under the provisions of law in effect prior to the termination date that may be carried forward for a specified number of years is not impaired by [this act], and a taxpayer may claim the credit for the taxes specified for the period established at the time the credit was first allowed. This section applies to all tax credits that are terminated as provided in [this act], including but not limited to 15-30-2342, 15-30-2364, 15-30-2373, 15-31-131, 15-31-133, 15-31-134, 15-31-150, 15-31-151, 15-32-115, 15-32-202, 15-32-404, 15-32-506, 15-32-507, 15-32-701, 15-32-702, 15-32-703, 15-50-207, and 17-6-316."

**Renumber:** subsequent sections

And, as amended, do pass. Report adopted.

**TRANSPORTATION** (Lavin, Chair):

1/23/2015

**HB 132**, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**Senate bills** passed and transmitted to the House for concurrence:

1/22/2015

**SB 26**, introduced by Swandal

**SB 29**, introduced by T. Brown

**SB 50**, introduced by Fielder

**SB 60**, introduced by Driscoll

**SB 101**, introduced by Driscoll

**SB 109**, introduced by Swandal

HOUSE JOURNAL  
SIXTEENTH LEGISLATIVE DAY - JANUARY 24, 2015

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 311**, introduced by G. Hertz, referred to Agriculture.

**HB 312**, introduced by N. Wilson, W. Curdy, referred to Local Government.

**HB 313**, introduced by E. McClafferty, referred to Education.

**HB 314**, introduced by C. Pease-Lopez, referred to Appropriations.

**HB 315**, introduced by B. Harris, N. Ballance, G. Bennett, S. Berglee, T. Berry, M. Blasdel, J. Brenden, R. Brodehl, B. Brown, A. Doane, R. Ehli, J. Fielder, F. Garner, C. Glimm, E. Greef, S. Hess, J. Hinkle, K. Holmlund, D. Jones, D. Kary, D. Lamm, M. Lang, S. Laszloffy, S. Lavin, F. Mandeville, T. Manzella, W. McKamey, D. Moore, D. Mortensen, M. Noland, A. Olszewski, R. Osmundson, R. Pinocci, L. Randall, A. Redfield, K. Regier, V. Ricci, T. Richmond, D. Salomon, N. Schwaderer, R. Shaw, C. Smith, S. Staffanson, N. Swandal, J. Taylor, B. Tschida, G. Vance, K. Wagoner, K. White, D. Zolnikov, referred to Judiciary.

The following Senate bills were introduced, read first time, and referred to committees:

**SB 26**, introduced by N. Swandal (by request of the Department of Justice), referred to Judiciary.

**SB 29**, introduced by T. Brown, referred to Education.

**SB 50**, introduced by J. Fielder (by request of the Department of Justice), referred to Judiciary.

**SB 60**, introduced by R. Driscoll (by request of the Department of Justice), referred to Judiciary.

**SB 101**, introduced by R. Driscoll (by request of the Law and Justice Interim Committee), referred to Judiciary.

**SB 109**, introduced by N. Swandal, referred to Judiciary.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion Carried. Representative Olszewski in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 25** - Representative MacDonald moved **HB 25** do pass. Motion carried as follows:

Yeas: B. Bennett, Berglee, Z. Brown, Burnett, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Hagstrom, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Richmond, Salomon,

HOUSE JOURNAL  
SIXTEENTH LEGISLATIVE DAY - JANUARY 24, 2015

Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 63

Nays: Ballance, J. Bennett, Berry, Brodehl, B. Brown, Cook, Cuffe, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hertz, Hess, Holmlund, Lamm, Mandeville, Manzella, Monforton, Mortensen, Noland, Osmundson, Randall, Redfield, Regier, Ricci, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 36

Excused: Harris.  
Total 1

Absent or not voting: None.  
Total 0

**HB 87** - Representative McClafferty moved consideration of **HB 87** be passed for the day.  
Motion Carried.

**HB 157** - Representative Perry moved **HB 157** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 91

Nays: J. Bennett, Glimm, Hess, Miller, Monforton, Noland, Wagoner, Wittich.  
Total 8

Excused: Harris.  
Total 1

Absent or not voting: None.  
Total 0

**HB 183** - Representative Mandeville moved **HB 183** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Dunwell, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef,

HOUSE JOURNAL  
SIXTEENTH LEGISLATIVE DAY - JANUARY 24, 2015

Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jones, Kipp III, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Person, Pinocci, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 66

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Eck, Funk, Hayman, Hunter, Jacobson, Karjala, Kelker, Lieser, Lynch, MacDonald, McCarthy, McConnell, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Pierson, Pope, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 34

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion Carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Olszewski moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 90

Nays: Olszewski.

Total 1

Excused: Mr. Speaker.

Total 1

Absent or not voting: Hill, Karjala, Lieser, Meyers, Pinocci, Pope, Steenberg, Welborn.

Total 8



HOUSE JOURNAL  
SIXTEENTH LEGISLATIVE DAY - JANUARY 24, 2015

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 26** passed as follows:

Yeas: B. Bennett, Berglee, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods.  
Total 71

Nays: Ballance, J. Bennett, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Jones, Lamm, Mandeville, Manzella, Monforton, Mortensen, Noland, Randall, Schwaderer, Staffanson, Tschida, White, Zolnikov.  
Total 28

Excused: Mr. Speaker.  
Total 1

Absent or not voting: None.  
Total 0

**HB 53** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov.  
Total 97

Nays: Brodehl, Hess.  
Total 2

HOUSE JOURNAL  
SIXTEENTH LEGISLATIVE DAY - JANUARY 24, 2015

Excused: Mr. Speaker.

Total 1

Absent or not voting: None.

Total 0

**HB 130** passed as follows:

Yeas: J. Bennett, Berry, Z. Brown, Clark, Cook, Cuffe, Custer, Doane, Dudik, Dunwell, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Jones, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Mortensen, Noonan, Olszewski, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Ricci, Richmond, Salomon, Shaw, Staffanson, Steenberg, Wagoner, Webber, Williams, Wittich.

Total 61

Nays: Ballance, B. Bennett, Berglee, Brodehl, B. Brown, Burnett, Court, Curdy, Eck, Ehli, Funk, Greef, Hagstrom, Holmlund, Hunter, Jacobson, Karjala, Lamm, MacDonald, Miller, Moore, Noland, Olsen, Osmundson, Peppers, Randall, Regier, Schreiner, Schwaderer, Smith, Swanson, Tropila, Tschida, Welborn, White, Wilson, Woods, Zolnikov.

Total 38

Excused: Mr. Speaker.

Total 1

Absent or not voting: None.

Total 0

**HB 135** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 97

Nays: Holmlund, Tschida.

Total 2

HOUSE JOURNAL  
SIXTEENTH LEGISLATIVE DAY - JANUARY 24, 2015

Excused: Mr. Speaker.

Total 1

Absent or not voting: None.

Total 0

**HB 139** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 97

Nays: B. Brown.

Total 1

Excused: Mr. Speaker.

Total 1

Absent or not voting: Harris.

Total 1

**UNFINISHED BUSINESS**

Mr. Speaker, I move that the following undersigned name be **ADDED** as sponsor to **HB 258**  
Motion Carried.

**HB 258** (K. Williams, Chief Sponsor)

Essmann.

**SPECIAL ORDERS OF THE DAY**

Representative Smith thanked the pages for their service.

HOUSE JOURNAL  
SIXTEENTH LEGISLATIVE DAY - JANUARY 24, 2015

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Monday, January 26, 2015. Motion carried.

House adjourned at 8:38 a.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
SEVENTEENTH LEGISLATIVE DAY**

Helena, Montana  
January 26, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Hess. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Noland, excused. Quorum present.

**BILLS** (Welborn, Chair):

1/26/2015

Correctly printed: **HB 54, HB 126.**

Correctly engrossed: **HB 101, HB 107, HB 155.**

Transmitted to the Senate: **HB 26, HB 53, HB 130, HB 135, HB 139.**

**LEGISLATIVE ADMINISTRATION** (Welborn, Chair):

1/26/2015

MR. SPEAKER:

We, your committee on Legislative Administration recommend that employment of the following pages of the House be ceased as of 10:00 a.m., Saturday, January 24, 2015:

Alicia Austin, White Sulphur Springs  
Lynette Peppers, Lame Deer  
Matthew Zuhlke, Ashland  
Haleigh Gregg, Helena  
Courtney Capdeville, Hinsdale  
Katherine McDonnell, Townsend

and recommend that the following pages of the House be employed as of 1:00 p.m., Monday, January 26, 2015:

Luke Nicholson, Missoula  
Mathias Pepos, Great Falls  
Dylan Cooper, Polson  
Frank Hendrickson, Butte  
Morgan Moll, Polson  
Layne Ryerson, Helena  
Quentin LeLacheur, Townsend

Report Adopted.

On a **Point of Personal Privilege**, Representative Essmann wished to clarify his comments regarding the Legislative Council Research 2014 Binder (located in the House Lobby) that outlines lessons learned and information gathered from past Montana Legislatures and from other states Legislatures over the interim on how the Legislature might be improved. Representative Essmann reiterated that his comments on the length of the session on the previous Saturday, was to ask

HOUSE JOURNAL  
SEVENTEENTH LEGISLATIVE DAY - JANUARY 26, 2015

members to review the binder and consider how the process could be improved, it was not meant as a criticism of the session itself.

**REPORTS OF STANDING COMMITTEES**

**STATE ADMINISTRATION** (Essmann, Chair):

1/23/2015

**HB 54**, do pass. Report adopted.

**HB 101**, introduced bill, be amended as follows:

1. Page 4, line 1.

**Following:** "~~or~~"

**Insert:** "or"

2. Page 4, line 3 through line 6.

**Strike:** "; or" on line 3 through "board" on line 6

3. Page 5, line 8.

**Following:** "20"

**Insert:** "; (i) to the public employees' retirement board earnings income information pertaining to a recipient of disability benefits from the public employees' retirement system that is reasonably necessary for the prevention and detection of fraud and abuse"

4. Page 7, line 26.

**Following:** "(a)"

**Strike:** "If"

**Insert:** "Except as provided in subsection (5), if"

5. Page 8, line 9.

**Strike:** "all amounts"

**Insert:** "the total amount"

6. Page 8.

**Following:** line 12

**Insert:** "(5) (a) If overpaid benefits or unpaid contributions resulted solely from an error made by the retirement system:

(i) the retirement system may recover the amount owed only with respect to the timeframe beginning 24 months prior to the date on which the retirement system issues an initial notice of the amount owed and ending when the amount owed is paid in full; and

(ii) interest may not be charged if the amount owed is paid within 30 days after issuance of the final staff determination.

(b) If the amount owed is not paid in full within 30 days after issuance of the final staff determination, the amount owed accrues interest at the retirement system's actuarially assumed annual rate of return, compounded monthly, beginning on the 31st day after issuance of the final staff determination. Interest continues to accrue until the amount owed to the retirement system is fully paid."

HOUSE JOURNAL  
SEVENTEENTH LEGISLATIVE DAY - JANUARY 26, 2015

And, as amended, do pass. Report adopted.

**HB 107**, introduced bill, be amended as follows:

1. Title, page 1, line 12.

**Following:** "PLAN;"

**Insert:** "REALLOCATING A TEMPORARY EMPLOYER CONTRIBUTION FROM PAYING GENERAL LIABILITIES TO PAYING PLAN CHOICE RATE LIABILITIES AND THEN DIRECTING THE CONTRIBUTION TO MEMBER ACCOUNTS;"

2. Title, page 1, line 12.

**Strike:** the second "AND"

3. Title, page 1, line 13.

**Following:** "MCA"

**Insert:** "; AND PROVIDING AN EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE"

4. Page 2, line 3 through line 7.

**Strike:** "; and" on line 3 through "rate" on line 7

5. Page 10, line 2.

**Strike:** "and"

6. Page 10, line 4 through line 5.

**Strike:** "continuing" on line 4 through "19-3-316(4)(b)," on line 5

**Following:** "liabilities" on line 5

**Insert:** "; and"

(d) on July 1, 2015, continuing until the plan choice rate unfunded actuarial liability in the defined benefit plan is fully paid, an amount equal to 1% of compensation must be allocated to the defined benefit plan as part of the plan choice rate. Effective the first full pay period in the month following the board's verification that the plan choice rate unfunded actuarial liability is paid off, the amount equal to 1% of compensation must be allocated to the member's account until the additional employer contributions terminate pursuant to 19-3-316(4)(b)"

7. Page 10, line 9.

**Strike:** "January" through "determining"

**Insert:** "the first full pay period in the month following the board's verification that"

8. Page 10, line 27.

**Following:** "19-3-112(1)(b);"

**Strike:** "and"

9. Page 10, line 28.

**Following:** "19-3-316"

HOUSE JOURNAL  
SEVENTEENTH LEGISLATIVE DAY - JANUARY 26, 2015

**Insert:** "(4)(b)"

**Following:** the last ","

**Insert:** "an amount equal to"

10. Page 10, line 30.

**Following:** "liability"

**Insert:** ";

(c) on July 1, 2013, and continuing until June 30, 2015, an amount equal to 1% of compensation must be allocated to the defined benefit plan unfunded liabilities; and

(d) on July 1, 2015, continuing until the plan choice rate unfunded actuarial liability in the defined benefit plan is fully paid, an amount equal to 1% of compensation must be allocated to the defined benefit plan as part of the plan choice rate. Effective the first full pay period in the month following the board's verification that the plan choice rate unfunded actuarial liability is paid off, the amount equal to 1% of compensation must be allocated to the member's account until the additional employer contributions terminate pursuant to 19-3-316(4)(b)"

11. Page 11, line 2.

**Following:** "~~19-3-2124~~"

**Insert:** "The percentage of compensation amount to be allocated under subsection (2)(b) must be increased by 0.1% each fiscal year through fiscal year 2024. For fiscal years beginning after June 30, 2024, the percentage of compensation amount to be allocated under subsection (2)(b) must be 1.27%.

(4)"

12. Page 11, line 3.

**Strike:** "January" through "determining"

**Insert:** "the first full pay period in the month following the board's verification that"

13. Page 11, line 4.

**Following:** "compensation in" in both places

**Insert:** "subsection" in both places

14. Page 11.

**Following:** line 9

**Insert:** "NEW SECTION. Section 6. Effective date. [This act] is effective July 1, 2015."

**Insert:** "NEW SECTION. Section 7. Retroactive applicability. [Sections 4(2)(b), (2)(c), and (3)] apply retroactively, within the meaning of 1-2-109, to contributions made on and after July 1, 2013."

And, as amended, do pass. Report adopted.

**HB 126**, do pass. Report adopted.

**HB 155**, introduced bill, be amended as follows:

1. Page 2, line 3.



HOUSE JOURNAL  
SEVENTEENTH LEGISLATIVE DAY - JANUARY 26, 2015

**Strike:** "\$208,000"

**Insert:** "\$180,000"

And, as amended, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**Senate bills** passed and transmitted to the House for concurrence:

1/23/2015

**SB 8**, introduced by Webb

**SB 28**, introduced by Cohenour

**SB 36**, introduced by Facey

**SB 93**, introduced by Connell

**SB 113**, introduced by Sesso

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 316**, introduced by E. Hill, referred to Judiciary.

**HB 317**, introduced by E. Hill, B. Bennett, S. Lavin, M. Monforton, referred to Judiciary.

**HB 318**, introduced by E. Hill, C. Schreiner, referred to Human Services.

**HB 319**, introduced by A. Olszewski, referred to Human Services.

**HB 320**, introduced by C. Glimm, referred to Judiciary.

**HB 321**, introduced by C. Fiscus, referred to Education.

The following House joint resolutions were introduced, read first time, and referred to committees:

**HJR 8**, introduced by F. Garner, B. Brown, S. Fitzpatrick, B. Harris, K. Holmlund, S. Lavin, D. Moore, D. Mortensen, M. Noland, A. Olszewski, V. Ricci, T. Richmond, D. Salomon, B. Tschida, referred to State Administration.

**HJR 9**, introduced by E. Hill, B. Bennett, A. Doane, C. Larsen, M. Moe, C. Schreiner, referred to Transportation.

**HJR 10**, introduced by E. Hill, C. Larsen, M. Moe, C. Schreiner, referred to Transportation.

The following Senate bills were introduced, read first time, and referred to committees:

**SB 8**, introduced by R. Webb (by request of the Children, Families, Health, and Human Services Interim Committee), referred to Human Services.

**SB 28**, introduced by J. Cohenour (by request of the Department of Natural Resources and Conservation and the Office of Budget and Program Planning), referred to Local Government.

**SB 36**, introduced by T. Facey (by request of the Secretary of State), referred to Business and Labor.

**SB 93**, introduced by P. Connell, referred to Judiciary.

**SB 113**, introduced by J. Sesso, referred to Local Government.

HOUSE JOURNAL  
SEVENTEENTH LEGISLATIVE DAY - JANUARY 26, 2015

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion Carried. Representative Schwaderer in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 19** - Representative Hill moved **HB 19** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Hagstrom, Hayman, Hess, Hill, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Wittich, Woods.

Total 59

Nays: Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hollandsworth, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Miller, Monforton, Mortensen, Noland, Osmundson, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, Zolnikov, Mr. Speaker.

Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 44** - Representative Berry moved **HB 44** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson,

HOUSE JOURNAL  
SEVENTEENTH LEGISLATIVE DAY - JANUARY 26, 2015

Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Brodehl, Burnett.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 87** - Representative McClafferty moved **HB 87** do pass. Motion carried as follows:

Yeas: B. Bennett, Berglee, Z. Brown, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 70

Nays: Ballance, J. Bennett, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Doane, Fiscus, Fitzpatrick, Glimm, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Manzella, Miller, Monforton, Mortensen, Osmundson, Pinocci, Schwaderer, Tropila, Tschida, Wagoner, White, Wittich.

Total 30

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 94** - Representative Flynn moved **HB 94** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson,

HOUSE JOURNAL  
SEVENTEENTH LEGISLATIVE DAY - JANUARY 26, 2015

Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 128** - Representative Hill moved **HB 128** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 97

Nays: Fitzpatrick, Harris, Lavin.  
Total 3

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 161** - Representative Ricci moved **HB 161** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland,

HOUSE JOURNAL  
SEVENTEENTH LEGISLATIVE DAY - JANUARY 26, 2015

Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 182** - Representative Mandeville moved **HB 182** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 54

Nays: B. Bennett, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Glimm, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Schreiner, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Williams, Wilson, Woods.  
Total 46

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 185** - Representative Price moved **HB 185** do pass. Motion carried as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Garner, Greef, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila,

HOUSE JOURNAL  
SEVENTEENTH LEGISLATIVE DAY - JANUARY 26, 2015

Webber, Welborn, White, Williams, Wilson, Woods.

Total 56

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Fiscus, Flynn, Glimm, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, Wittich, Zolnikov, Mr. Speaker.

Total 44

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 195** - Representative McConnell moved **HB 195** do pass. Motion carried as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Garner, Hagstrom, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Monforton, Moore, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Wittich, Woods.

Total 62

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Harris, Hertz, Hess, Holmlund, Lamm, Lang, Manzella, McKamey, Meyers, Miller, Mortensen, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Staffanson, Tschida, Wagoner, White, Zolnikov, Mr. Speaker.

Total 38

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion Carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Schwaderer moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz,

HOUSE JOURNAL  
SEVENTEENTH LEGISLATIVE DAY - JANUARY 26, 2015

Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: Noland.

Total 1

Absent or not voting: None.

Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 25** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Z. Brown, Burnett, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Hagstrom, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 60

Nays: J. Bennett, Berry, Brodehl, B. Brown, Cook, Cuffe, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Mandeville, Manzella, McKamey, Monforton, Mortensen, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 39

Excused: Noland.

Total 1

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SEVENTEENTH LEGISLATIVE DAY - JANUARY 26, 2015

**HB 115** passed as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Garner, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 55

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Lamm, Laszloffy, Mandeville, Manzella, Meyers, Miller, Monforton, Moore, Mortensen, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 44

Excused: Noland.

Total 1

Absent or not voting: None.

Total 0

**HB 157** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 91

Nays: J. Bennett, B. Brown, Glimm, Hertz, Hess, Monforton, Wagoner, Wittich.

Total 8

Excused: Noland.

Total 1

Absent or not voting: None.

Total 0



HOUSE JOURNAL  
SEVENTEENTH LEGISLATIVE DAY - JANUARY 26, 2015

**HB 183** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Dunwell, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Kipp III, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Olszewski, Osmundson, Person, Pierson, Pinocci, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Steenberg, Tschida, Wagoner, Welborn, White, Williams, Wittich, Zolnikov, Mr. Speaker.

Total 67

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Eck, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Lieser, Lynch, MacDonald, McCarthy, McConnell, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Pope, Schreiner, Smith, Swanson, Tropila, Webber, Wilson, Woods.

Total 32

Excused: Noland.

Total 1

Absent or not voting: None.

Total 0

**MOTIONS**

Majority Leader Regier moved **HB 87** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Regier moved **HB 185** be moved from the Committee of the Whole to the Appropriations committee.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Tuesday, January 27, 2015. Motion carried.

House adjourned at 2:12 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
EIGHTEENTH LEGISLATIVE DAY**

Helena, Montana  
January 27, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Peppers. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Ricci, excused. Quorum present.

Majority Leader Regier announced the Republicans would caucus. Without objection so ordered.

Minority Leader Hunter announced the Democrats would stand at ease.

**BILLS** (Welborn, Chair):

1/27/2015

Correctly printed: **HB 211, HB 222.**

Transmitted to the Senate: **HB 25, HB 115, HB 157, HB 183.**

**REPORTS OF STANDING COMMITTEES**

**STATE ADMINISTRATION** (Essmann, Chair):

1/27/2015

**HB 211**, do pass. Report adopted.

**TRANSPORTATION** (Lavin, Chair):

1/26/2015

**HB 222**, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**Senate bills** passed and transmitted to the House for concurrence:

1/24/2015

**SB 16**, introduced by D. Brown

**SB 31**, introduced by Whitford

**SB 35**, introduced by Facey

**SB 59**, introduced by Driscoll

**SB 62**, introduced by T. Brown

**SB 67**, introduced by Larsen

**SB 98**, introduced by Facey

HOUSE JOURNAL  
EIGHTEENTH LEGISLATIVE DAY - JANUARY 27, 2015

**MESSAGES FROM THE GOVERNOR**

January 26, 2015

The Honorable Austin Knudsen  
Speaker of the House  
State Capitol  
Helena, Montana 59620

Dear Speaker Knudsen:

Please be informed that I have signed **House Bill 1** sponsored by Representative Ballance on January 26, 2015.

Sincerely,

STEVE BULLOCK  
Governor

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 322**, introduced by D. Jones, K. Hansen, referred to Education.

**HB 323**, introduced by T. Jacobson, referred to Taxation.

**HB 324**, introduced by J. Welborn, referred to Business and Labor.

**HB 325**, introduced by M. Miller, referred to Taxation.

The following Senate bills were introduced, read first time, and referred to committees:

**SB 16**, introduced by D. Brown (by request of the State Administration and Veterans' Affairs Interim Committee), referred to State Administration.

**SB 31**, introduced by L. Whitford (by request of the Economic Affairs Interim Committee), referred to Agriculture.

**SB 35**, introduced by T. Facey (by request of the Secretary of State), referred to Business and Labor.

**SB 59**, introduced by R. Driscoll (by request of the Public Defender Commission), referred to Judiciary.

**SB 62**, introduced by T. Brown (by request of the Department of Revenue), referred to Agriculture.

**SB 67**, introduced by C. Larsen (by request of the Department of Justice), referred to Judiciary.

**SB 98**, introduced by T. Facey (by request of the Department of Administration), referred to Business and Labor.

HOUSE JOURNAL  
EIGHTEENTH LEGISLATIVE DAY - JANUARY 27, 2015

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion Carried. Representative Osmundson in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 37** - Representative Monforton moved **HB 37** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hollandsworth, Holmlund, Jacobson, Jones, Karjala, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Mr. Speaker.

Total 55

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hess, Hill, Hunter, Kelker, Kipp III, Lamm, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Meyers, Miller, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Schreiner, Schwaderer, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Zolnikov.

Total 45

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 42** - Representative Greef moved consideration of **HB 42** be passed for the day. Motion Carried.

Minority Leader Hunter asked the reason for passing HB 42 for the day. The sponsor felt he wasn't prepared to answer all possible questions. Minority Leader Hunter cautioned that committees should be careful in passing bills out of committee prematurely, and requested committee chairs be more vigilant to allow that when bills are placed on Second Reading that they will not have to be passed for the day.

HOUSE JOURNAL  
EIGHTEENTH LEGISLATIVE DAY - JANUARY 27, 2015

**HB 56** - Representative White moved **HB 56** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 67** - Representative B. Smith moved **HB 67** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 98

Nays: Ricci, Richmond.  
Total 2

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
EIGHTEENTH LEGISLATIVE DAY - JANUARY 27, 2015

Majority Leader Hunter rose on a **Point of Personal Privilege** he quoted from the **Mason's Manual of Legislative Procedure Sec. 132**, Item 1. "The right of members to debate and make motions cannot be cut off by the presiding officer putting a question to vote so rapidly as to prevent a member from securing the floor after the presiding officer has inquired if the body is ready for the question." He asked that all Representatives be given the opportunity to speak on bills and that debate not be closed prematurely.

**HB 88** - Representative Laszloffy moved **HB 88** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Welborn.

Total 1

**HB 117** - Representative Lynch moved **HB 117** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berry, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Garner, Greef, Hayman, Hertz, Hess, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Mortensen, Noonan, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Woods.

Total 56

Nays: J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Hagstrom, Harris, Holmlund, Jones, Lamm, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Noland, Olszewski,

HOUSE JOURNAL  
EIGHTEENTH LEGISLATIVE DAY - JANUARY 27, 2015

Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, Wittich, Zolnikov, Mr. Speaker.  
Total 43

Excused: None.  
Total 0

Absent or not voting: Olsen.  
Total 1

**HB 120** - Representative Williams moved **HB 120** do pass. Motion carried as follows:

Yeas: B. Bennett, B. Brown, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Flynn, Funk, Garner, Greef, Harris, Hayman, Hertz, Hill, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Moore, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Williams, Wilson, Woods.  
Total 60

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, Burnett, Clark, Cook, Cuffe, Doane, Essmann, Fiscus, Fitzpatrick, Glimm, Hagstrom, Hess, Hollandsworth, Jones, Lamm, Lang, Laszloffy, Manzella, Meyers, Monforton, Mortensen, Noland, Osmundson, Person, Pinocci, Randall, Redfield, Regier, Shaw, Staffanson, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 40

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 166** - Representative Regier moved **HB 166** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 61

HOUSE JOURNAL  
EIGHTEENTH LEGISLATIVE DAY - JANUARY 27, 2015

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 39

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 169** - Representative Wittich moved **HB 169** do pass.

**HB 169** - Representative Wittich moved **HB 169**, second reading copy, be amended as follows:

1. Title, page 1, line 8.

**Strike:** "AN IMMEDIATE"

2. Title, page 1, line 9.

**Strike:** "DATE" through "APPLICABILITY DATE"

**Insert:** "DATES, APPLICABILITY DATES"

3. Page 2, line 28 through page 3, line 1.

**Strike:** section 4 through section 5 in their entirety

**Insert:** "NEW SECTION. Section 4. Effective dates. (1) Except as provided in subsection (2), [this act] is effective on passage and approval.

(2) [Section 1] is effective January 1, 2016."

**Insert:** "NEW SECTION. Section 5. Applicability. (1) Except as provided in subsection (2), [this act] applies retroactively, within the meaning of 1-2-109, to tax years beginning after December 31, 2014.

(2) [Section 1] applies to tax years beginning after December 31, 2015."

Amendment adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Court, Cuffe, Custer, Doane, Dudik, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Perry, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 86



HOUSE JOURNAL  
EIGHTEENTH LEGISLATIVE DAY - JANUARY 27, 2015

Nays: B. Bennett, Z. Brown, Curdy, Dunwell, Eck, Karjala, Lieser, Pease-Lopez, Peppers, Person, Schwaderer, Tropila, Williams.

Total 13

Excused: None.

Total 0

Absent or not voting: Randall.

Total 1

**HB 169** - Representative Wittich moved **HB 169**, as amended, do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion Carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Osmundson moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Perry, Person,

HOUSE JOURNAL  
EIGHTEENTH LEGISLATIVE DAY - JANUARY 27, 2015

Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wittich, Zolnikov, Mr. Speaker.

Total 89

Nays: B. Bennett, Court, Curdy, Dudik, MacDonald, Pease-Lopez, Peppers, Smith, Wilson, Woods.

Total 10

Excused: None.

Total 0

Absent or not voting: Jacobson.

Total 1

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 19** passed as follows:

Yeas: B. Bennett, J. Bennett, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Hagstrom, Hayman, Hess, Hill, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, White, Williams, Wilson, Wittich, Woods.

Total 56

Nays: Ballance, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hollandsworth, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Mortensen, Noland, Osmundson, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Staffanson, Tschida, Wagoner, Welborn, Zolnikov, Mr. Speaker.

Total 44

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
EIGHTEENTH LEGISLATIVE DAY - JANUARY 27, 2015

**HB 44** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 98

Nays: Brodehl, Burnett.  
Total 2

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 94** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
EIGHTEENTH LEGISLATIVE DAY - JANUARY 27, 2015

**HB 128** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 95

Nays: Brodehl, Fitzpatrick, Harris, Lavin.  
Total 4

Excused: None.  
Total 0

Absent or not voting: Shaw.  
Total 1

**HB 161** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
EIGHTEENTH LEGISLATIVE DAY - JANUARY 27, 2015

**HB 182 failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 50

Nays: B. Bennett, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 50

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 195 passed** as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Garner, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Richmond, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods.  
Total 66

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Harris, Hess, Lamm, Lang, Manzella, McKamey, Meyers, Miller, Monforton, Osmundson, Randall, Redfield, Regier, Ricci, Salomon, Staffanson, Tschida, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.  
Total 34

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
EIGHTEENTH LEGISLATIVE DAY - JANUARY 27, 2015

**MOTIONS**

Majority Leader Regier moved **HB 281** be moved from the Fish, Wildlife and Parks committee to the Judiciary committee.

Majority Leader Regier moved **HB 286** be moved from the Judiciary committee to the Transportation committee.

Majority Leader Regier moved **HB 304** be moved from the Judiciary committee to the Transportation committee.

Majority Leader Regier moved **HB 120** be moved to the Appropriations committee.

Majority Leader Regier moved **HB 166** be moved to the Appropriations committee.

Majority Leader Regier moved **HB 169** be moved to the Appropriations committee.

Representative B. Smith moved to change her vote on **HB 67** from Not Voting to Yes. Without objection, so ordered.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Wednesday, January 28, 2015. Motion carried.

House adjourned at 2:47 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
NINETEENTH LEGISLATIVE DAY**

Helena, Montana  
January 28, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Shaw. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

**BILLS** (Welborn, Chair):

1/28/2015

Correctly printed: **HB 28, HB 145, HB 165, HB 173, HB 187, HB 197, HB 204, HB 207, HB 240.**

Correctly engrossed: **HB 29, HB 78, HB 193.**

Transmitted to the Senate: **HB 19, HB 44, HB 94, HB 128, HB 161, HB 195.**

Minority Leader Hunter rose on a **Point of Decorum**, during the previous day's floor session ice cream was being passed among the members while a Representative was presenting a bill. The Minority Leader asked the body to be more aware and to avoid distractions during session.

**REPORTS OF STANDING COMMITTEES**

**AGRICULTURE** (Redfield, Chair):

1/27/2015

**HB 145**, do pass. Report adopted.

**BUSINESS AND LABOR** (Berry, Chair):

1/28/2015

**HB 29**, introduced bill, be amended as follows:

1. Page 6, line 15.

**Strike:** "An"

**Insert:** "Unless prohibited by the policies of a client or an end user of an appraisal report, an"

2. Page 6, line 19.

**Strike:** "An"

**Insert:** "Unless prohibited by the policies of a client or an end user of an appraisal report or by other state or federal law, an"

And, as amended, do pass. Report adopted.

**HB 78**, introduced bill, be amended as follows:

1. Page 1, line 8.

HOUSE JOURNAL  
NINETEENTH LEGISLATIVE DAY - JANUARY 28, 2015

**Strike:** "IMMEDIATE" through "RETROACTIVE"

2. Page 1, line 11.

**Strike:** everything after the enacting clause

**Insert:** "NEW SECTION. Section 1. Definitions. As used in [sections 1 through 6], the following definitions apply:

(1) "Benefit" means any rebate, discount, abatement, credit, reduction of premium, or other advantage to the policyholder provided under the terms of a telematics agreement.

(2) "Policyholder" means a person who is a present named insured in a motor vehicle liability policy as defined in 33-23-204.

(3) "Recorded data" means the data collected, stored, or transmitted by a recording device identifying performance or operation information about a motor vehicle including:

- (a) speed;
- (b) direction;
- (c) location; and
- (d) internal controls and diagnostics, such as steering performance, brake performance, or computer diagnostics.

(4) "Recording device" means a device, mechanism, or system installed in or used in conjunction with a motor vehicle that collects, stores, or transmits recorded data. The term includes the following to the extent that they involve recorded data:

- (a) event data recorders;
- (b) sensing and diagnostic modules;
- (c) electronic control modules;
- (d) automatic crash notification systems;
- (e) geographic information systems;
- (f) cellular phones;
- (g) personal digital assistants; and
- (h) any other device that collects, stores, or transmits recorded data.

(5) "Telematics agreement" means a written agreement between an insurer and a policyholder of the insurer regarding use of a recording device in a motor vehicle to collect or store recorded data or transmit recorded data to the insurer or to a third party designated by the insurer."

**Insert:** "NEW SECTION. Section 2. Telematics agreement disclosures. (1) A telematics agreement must be signed by the policyholder.

(2) A telematics agreement must disclose the following:

- (a) if the insurer or a third party designated by the insurer provides the recording device, the categories of recorded data the recording device is capable of collecting, storing, or transmitting;
- (b) the identification of any third party that may collect, store, transmit, or receive the recorded data in relation to the terms of the telematics agreement;
- (c) the categories of recorded data that may be collected, stored, or transmitted;
- (d) the purposes for which the insurer or a third party may use the recorded data;
- (e) the length of time the insurer or third party may collect, store, transmit, or otherwise retain the data; and
- (f) the terms of any benefit associated with the telematics agreement."



HOUSE JOURNAL  
NINETEENTH LEGISLATIVE DAY - JANUARY 28, 2015

**Insert:**        "NEW SECTION. Section 3. Insurer obligations for telematics agreement -- termination. (1) An insurer may provide a benefit to a policyholder for participating in a telematics agreement.

(2) Except as provided in subsection (4), an insurer may not cancel, refuse to issue, or refuse to renew a motor vehicle insurance policy solely because a policyholder refuses to:

- (a) enter into or consent to a telematics agreement; or
- (b) provide access to recorded data from a recording device.

(3) An insurer:

(a) may not reduce coverage, increase a premium, place in a less favorable rate tier, or deny a claim to a policyholder if the policyholder refuses to enter into or consent to a telematics agreement, except as provided in subsection (4) or (7); and

(b) may not, based upon analysis of recorded data collected in connection with the telematics agreement, reduce coverage, increase a premium, place in a less favorable rate tier, deny a claim, or reduce or refuse to provide a benefit to a policyholder, except as provided in subsections (4), (5), and (7).

(4) Subsections (2) and (3) do not apply to a motor vehicle insurance policy:

(a) based upon the policyholder driving a minimum or maximum number of miles or driving within a certain range of miles; and

(b) that requires a policyholder to use a recording device for purposes of determining mileage.

(5) An insurer may adjust the benefit provided under subsection (1) to the extent that an analysis of the recorded data collected through the telematics agreement accurately represents the policyholder's driving habits.

(6) An insurer offering a telematics agreement shall offer all its policyholders under that policy type an equal opportunity to enter into a telematics agreement except to the extent the recording device used under the telematics agreement is not compatible with the motor vehicle of the policyholder.

(7) (a) An insurer may terminate a telematics agreement and any associated benefit if a policyholder materially fails to comply with a term of the telematics agreement.

(b) Termination of a telematics agreement and any associated benefit under this subsection (7) does not constitute a midterm premium increase as provided in 33-15-1108.

(8) An insurer shall terminate a telematics agreement and any associated benefit upon the request of the policyholder."

**Insert:**        "NEW SECTION. Section 4. Ownership of data. Recorded data collected, stored, or transmitted by a recording device under a telematics agreement:

(1) is personal information as defined in 33-19-104; and

(2) may not be used by an insurer or third party named in the telematics agreement for uses other than those disclosed in the telematics agreement."

**Insert:**        "NEW SECTION. Section 5. Application -- exclusion. (1) The provisions of [sections 1 through 6] apply to a telematics agreement entered into between a policyholder and an insurer.

(2) The provisions of [sections 1 through 6] do not apply to a manufacturer of a motor vehicle or supplier of an aftermarket device or services or to its respective subsidiaries or affiliates that embed in or provide a recording device for a motor vehicle as long as the manufacturer or supplier or the respective subsidiaries or affiliates is not acting as an insurer."

HOUSE JOURNAL  
NINETEENTH LEGISLATIVE DAY - JANUARY 28, 2015

**Insert:**        "NEW SECTION. **Section 6. Rulemaking.** The commissioner may adopt rules necessary to implement the provisions of [sections 1 through 6]."

**Insert:** "Section 7. Section 33-18-210, MCA, is amended to read:

**"33-18-210. Unfair discrimination and rebates prohibited -- property, casualty, and surety insurances -- exception.** (1) ~~A~~ Except as provided in subsections (3) and (10)(a), a title, property, casualty, or surety insurer or an employee, representative, or insurance producer of an insurer may not, as an inducement to purchase insurance or after insurance has been effected, pay, allow, or give or offer to pay, allow, or give, directly or indirectly, a:

          (a) rebate, discount, abatement, credit, or reduction of the premium named in the insurance policy;

          (b) special favor or advantage in the dividends or other benefits to accrue on the policy; or

          (c) valuable consideration or inducement not specified in the policy, except to the extent provided for in an applicable filing with the commissioner as provided by law.

(2) ~~An~~ Except as provided in subsections (3) and (10)(a), an insured named in a policy or an employee of the insured may not knowingly receive or accept, directly or indirectly, a:

          (a) rebate, discount, abatement, credit, or reduction of premium;

          (b) special favor or advantage; or

          (c) valuable consideration or inducement.

(3) The prohibitions in subsections (1) and (2) do not apply to a benefit provided for by a telematics agreement as provided in [sections 1 through 6].

~~(3)~~ (4) An insurer may not make or permit unfair discrimination in the premium or rates charged for insurance, in the dividends or other benefits payable on insurance, or in any other of the terms and conditions of the insurance either between insureds or property having like insuring or risk characteristics or between insureds because of race, color, creed, religion, or national origin.

~~(4)~~ (5) This section may not be construed as prohibiting the payment of commissions or other compensation to licensed insurance producers or as prohibiting an insurer from allowing or returning lawful dividends, savings, or unabsorbed premium deposits to its participating policyholders, members, or subscribers.

~~(5)~~ (6) An insurer may not make or permit unfair discrimination between individuals or risks of the same class and of essentially the same hazards by refusing to issue, refusing to renew, canceling, or limiting the amount of insurance coverage on a property or casualty risk because of the geographic location of the risk, unless:

          (a) the refusal, cancellation, or limitation is for a business purpose that is not a mere pretext for unfair discrimination; or

          (b) the refusal, cancellation, or limitation is required by law or regulatory mandate.

~~(6)~~ (7) An insurer may not make or permit unfair discrimination between individuals or risks of the same class and of essentially the same hazards by refusing to issue, refusing to renew, canceling, or limiting the amount of insurance coverage on a residential property risk or on the personal property contained in the residential property, because of the age of the residential property, unless:

          (a) the refusal, cancellation, or limitation is for a business purpose that is not a mere pretext for unfair discrimination; or

          (b) the refusal, cancellation, or limitation is required by law or regulatory mandate.

HOUSE JOURNAL  
NINETEENTH LEGISLATIVE DAY - JANUARY 28, 2015

~~(7)~~ (8) An insurer may not refuse to insure, refuse to continue to insure, or limit the amount of coverage available to an individual because of the sex or marital status of the individual. However, an insurer may take marital status into account for the purpose of defining persons eligible for dependents' benefits.

~~(8)~~ (9) An insurer may not terminate or modify coverage or refuse to issue or refuse to renew a property or casualty policy or contract of insurance solely because the applicant or insured or any employee of either is mentally or physically impaired. However, this subsection does not apply to accident and health insurance sold by a casualty insurer, and this subsection may not be interpreted to modify any other provision of law relating to the termination, modification, issuance, or renewal of any insurance policy or contract.

~~(9)~~ (10) (a) An insurer may not refuse to insure, refuse to continue to insure, charge higher rates, or limit the amount of coverage available to an individual under a private passenger automobile policy based solely on adverse information contained in an individual's driving record that is 3 years old or older. An insurer may provide discounts to an insured under a private passenger automobile policy based on favorable aspects of an insured's claims history that is 3 years old or older.

(b) An insurer may not use more than the most recent 5 years of loss experience that is available when determining whether to refuse to insure, refuse to continue to insure, charge higher rates, or limit the amount of coverage available under a commercial automobile policy. An insurer may provide discounts to an insured under a commercial automobile policy based on favorable aspects of an insured's claims history that is 5 years old or older.

(c) As used in subsection ~~(9)~~(a) (10)(a), "private passenger automobile policy" means an automobile insurance policy issued to individuals or families but does not include policies known as commercial automobile policies.

~~(10)~~ (11) An insurer may not charge points or surcharge a private passenger motor vehicle policy because of a claim submitted under the insured's policy if the insured was not at fault."

**Insert:**        "NEW SECTION. Section 8. Codification instruction. [Sections 1 through 6] are intended to be codified as an integral part of Title 33, chapter 23, part 2, and the provisions of Title 33, chapter 23, part 2, apply to [sections 1 through 6]."

**Insert:**        "NEW SECTION. Section 9. Applicability. [This act] applies to telematics agreements entered into or renewed on or after January 1, 2016."

And, as amended, do pass. Report adopted.

**HB 240**, do pass. Report adopted.

**JUDICIARY** (Bennett, Chair):

1/28/2015

**HB 28**, introduced bill, be amended as follows:

1. Title, page 1, line 6.

HOUSE JOURNAL  
NINETEENTH LEGISLATIVE DAY - JANUARY 28, 2015

**Following:** "VIDEO-RECORD"  
**Insert:** "AND AUDIO-RECORD"

2. Page 1, line 16.

**Following:** "video-record"  
**Insert:** "and audio-record"

3. Page 1, line 17 through line 18.

**Following:** "46-23-1025."

**Strike:** remainder of line 17 through line 18

**Insert:** "A recording may not personally identify the victim without the victim's written consent."

And, as amended, do pass. Report adopted.

**HB 165**, do pass. Report adopted.

**HB 173**, do pass. Report adopted.

**HB 197**, do pass. Report adopted.

**HB 204**, do pass. Report adopted.

**HB 207**, do pass. Report adopted.

**LOCAL GOVERNMENT** (Greef, Chair):

1/27/2015

**HB 187**, do pass. Report adopted.

**HB 193**, introduced bill, be amended as follows:

1. Title, page 1, line 7.

**Following:** "APPEALED TO"

**Insert:** "A"

**Following:** "RECORD;"

**Insert:** "AND"

2. Page 2, line 6.

**Following:** "adjustment."

**Insert:** "The board of county commissioners shall hold the hearing and issue the decision within 60 days after the petition of appeal to the board has been filed."

And, as amended, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**Senate bills** passed and transmitted to the House for concurrence:

1/26/2015

HOUSE JOURNAL  
NINETEENTH LEGISLATIVE DAY - JANUARY 28, 2015

**SB 82**, introduced by Hamlett  
**SB 88**, introduced by Brenden  
**SB 102**, introduced by Ankney

**House amendments to Senate joint resolution** concurred in:

1/26/2015

**SJR 1**, introduced by Rosendale

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 326**, introduced by P. Noonan, M. Blasdel, referred to Business and Labor.  
**HB 327**, introduced by W. Curdy, D. Sands, referred to Appropriations.  
**HB 328**, introduced by B. Tschida, referred to Judiciary.  
**HB 329**, introduced by J. Welborn, referred to Natural Resources.  
**HB 330**, introduced by N. Schwaderer, referred to Judiciary.  
**HB 331**, introduced by N. Schwaderer, referred to State Administration.  
**HB 332**, introduced by N. Schwaderer, referred to Human Services.  
**HB 333**, introduced by N. Schwaderer, referred to Judiciary.  
**HB 334**, introduced by R. Cook, referred to Local Government.  
**HB 335**, introduced by R. Cook, referred to State Administration.  
**HB 336**, introduced by D. Moore, T. Facey, F. Thomas, referred to Business and Labor.  
**HB 337**, introduced by J. Karjala, referred to Human Services.  
**HB 338**, introduced by J. Karjala, referred to Agriculture.  
**HB 339**, introduced by R. Lynch, referred to Education.  
**HB 340**, introduced by T. Burnett, referred to Natural Resources.  
**HB 341**, introduced by B. Harris, B. Bennett, B. Brown, Z. Brown, V. Court, M. Dunwell, M. Funk, F. Garner, E. Greef, D. Hagstrom, F. Mandeville, W. McKamey, D. Mortensen, A. Olsen, Z. Perry, A. Person, D. Salomon, B. Tschida, A. Wittich, referred to Taxation.  
**HB 342**, introduced by B. Bennett, G. Custer, W. McKamey, C. Schreiner, N. Schwaderer, referred to State Administration.  
**HB 343**, introduced by B. Bennett, Z. Brown, F. Mandeville, M. Miller, D. Mortensen, A. Person, C. Schreiner, B. Tschida, , D. Zolnikov, referred to Business and Labor.  
**HB 344**, introduced by D. Zolnikov, referred to Judiciary.  
**HB 345**, introduced by D. Zolnikov, referred to Judiciary.  
**HB 346**, introduced by C. Fiscus, referred to Transportation.

The following House joint resolution was introduced, read first time, and referred to committee:

**HJR 11**, introduced by M. Lang, R. Driscoll, F. Moore, P. Noonan, referred to Federal Relations, Energy, and Telecommunications.

HOUSE JOURNAL  
NINETEENTH LEGISLATIVE DAY - JANUARY 28, 2015

The following Senate bills were introduced, read first time, and referred to committees:

**SB 82**, introduced by B. Hamlett (by request of the Water Policy Committee), referred to Natural Resources.

**SB 88**, introduced by J. Brenden (by request of the Department of Natural Resources and Conservation and the Office of Budget and Program Planning), referred to Natural Resources.

**SB 102**, introduced by D. Ankney (by request of the Department of Environmental Quality), referred to Natural Resources.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion Carried. Representative Randall in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 12** - Representative Hill moved **HB 12** do pass. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 63

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hess, Jones, Lamm, Laszloffy, Mandeville, Manzella, Meyers, Monforton, Moore, Noland, Randall, Redfield, Regier, Ricci, Schwaderer, Tschida, Wagoner, Welborn, White, Zolnikov.

Total 37

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 27** - Representative Hayman moved **HB 27** do pass. Motion carried as follows:

HOUSE JOURNAL  
NINETEENTH LEGISLATIVE DAY - JANUARY 28, 2015

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Mr. Speaker.  
Total 92

Nays: Glimm, Lamm, Monforton, Schwaderer, Staffanson, Tschida, White, Zolnikov.  
Total 8

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 43** - Representative MacDonald moved **HB 43** do pass.

**HB 43** - Representative Wagoner moved **HB 43**, second reading copy, be amended as follows:

1. Title, page 1, line 8.

**Following:** "CLEMENCY;"

**Insert:** "PROHIBITING CLEMENCY RECOMMENDATIONS AND DECISIONS IF THE APPLICANT IS RELATED OR CONNECTED TO THE GOVERNOR OR WORKS OR HAS WORKED IN THE OFFICE OF THE GOVERNOR SINCE THE GOVERNOR TOOK OFFICE;"

2. Page 3, line 24.

**Following:** line 23

**Insert:** "(5)(a) A hearing panel may not recommend clemency if the applicant:

(i) is related or connected to the governor by consanguinity within the fourth degree or by affinity within the second degree as provided in 1-1-219; or

(ii) works or has worked in the office of the governor since the governor took office.

(b) The governor may not grant clemency to an applicant described in subsection

(5)(a)."

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz,

HOUSE JOURNAL  
NINETEENTH LEGISLATIVE DAY - JANUARY 28, 2015

Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 43** - Representative MacDonald moved **HB 43**, as amended, do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, B. Brown, Z. Brown, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Funk, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 86

Nays: Berry, Brodehl, Burnett, Cuffe, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Lavin, Moore, Redfield, Salomon, Staffanson.  
Total 14

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 107** - Representative Cook moved **HB 107** do pass. Motion carried as follows:



HOUSE JOURNAL  
NINETEENTH LEGISLATIVE DAY - JANUARY 28, 2015

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Hertz, Staffanson, Wagoner.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 132** - Representative Garner moved **HB 132** do pass. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 93

Nays: Ballance, Burnett, Cuffe, Doane, Mortensen, Staffanson, Zolnikov.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 146** - Representative Flynn moved **HB 146** do pass. Motion carried as follows:

HOUSE JOURNAL  
NINETEENTH LEGISLATIVE DAY - JANUARY 28, 2015

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Peppers, Perry, Person, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tropila, Tschida, Wagoner, Welborn, Wittich, Zolnikov, Mr. Speaker.

Total 71

Nays: B. Bennett, Court, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Lieser, MacDonald, Mehlhoff, Olsen, Pease-Lopez, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Webber, White, Williams, Wilson, Woods.

Total 29

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 150** - Representative Flynn moved **HB 150** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 91

Nays: Burnett, Lamm, Manzella, Mortensen, Pinocci, Randall, Staffanson, White, Zolnikov.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 154** - Representative Hollandsworth moved **HB 154** do pass. Motion carried as follows:

HOUSE JOURNAL  
NINETEENTH LEGISLATIVE DAY - JANUARY 28, 2015

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Custer, Fitzpatrick, Flynn, Garner, Greef, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, McClafferty, McKamey, Meyers, Miller, Monforton, Noland, Olszewski, Osmundson, Peppers, Person, Randall, Redfield, Regier, Ricci, Salomon, Schwaderer, Shaw, Tschida, Wagoner, Webber, Welborn, White, Wittich, Zolnikov, Mr.

Speaker.

Total 51

Nays: B. Bennett, Clark, Court, Cuffe, Curdy, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Funk, Glimm, Hagstrom, Hayman, Hill, Hunter, Jones, Karjala, Kelker, Kipp III, MacDonald, Mandeville, Manzella, McCarthy, McConnell, Mehlhoff, Moore, Mortensen, Noonan, Olsen, Pease-Lopez, Perry, Pierson, Pinocci, Pope, Price, Richmond, Schreiner, Smith, Staffanson, Steenberg, Swanson, Tropila, Williams, Wilson, Woods.

Total 49

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 167** - Representative Welborn moved **HB 167** do pass. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods.

Total 75

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Cuffe, Flynn, Hertz, Hess, Holmlund, Lamm, Mandeville, Manzella, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Schwaderer, Staffanson, Wagoner, Wittich, Zolnikov, Mr. Speaker.

Total 25

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
NINETEENTH LEGISLATIVE DAY - JANUARY 28, 2015

Majority Leader Regier moved the committee rise and report. Motion Carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Randall moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lieser, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 97

Nays: Fitzpatrick, Lavin, Lynch.  
Total 3

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 37** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Hagstrom, Harris, Hertz, Hollandsworth, Holmlund, Jacobson, Jones, Karjala, Lang, Laszloffy, Lavin, Mandeville, Manzella, Mehlhoff, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pierson, Randall, Regier, Ricci, Richmond, Salomon, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Mr. Speaker.  
Total 52

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Greef, Hayman, Hess, Hill, Hunter, Kelker, Kipp III, Lamm, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Meyers, Miller, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pinocci, Pope, Price, Redfield, Schreiner, Schwaderer, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods, Zolnikov.

HOUSE JOURNAL  
NINETEENTH LEGISLATIVE DAY - JANUARY 28, 2015

Total 48

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 56** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 67** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

HOUSE JOURNAL  
NINETEENTH LEGISLATIVE DAY - JANUARY 28, 2015

Nays: Berry, Monforton.  
Total 2

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 88** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 117** passed as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Garner, Hagstrom, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Mortensen, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 54

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Harris, Hertz, Hess, Holmlund, Jones,

HOUSE JOURNAL  
NINETEENTH LEGISLATIVE DAY - JANUARY 28, 2015

Lamm, Lang, Laszloffy, Lavin, Manzella, Meyers, Miller, Monforton, Moore, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 46

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**MOTIONS**

Representative Wittich moved **HB 101** be moved from the Committee of the Whole to the State Administration committee.

Majority Leader Regier moved **HB 146** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Regier moved **HB 167** be moved from the Committee of the Whole to the Appropriations committee.

Representative Mandeville moved to reconsider action on **HB 182** and that **HB 182** be placed on Third reading on Thursday, January 29, 2015.

Motion **passed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 54

Nays: B. Bennett, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 46

Excused: None.

Total 0

Absent or not voting: None.

HOUSE JOURNAL  
NINETEENTH LEGISLATIVE DAY - JANUARY 28, 2015

Total 0

**UNFINISHED BUSINESS**

Mr. Speaker, I move that the following undersigned name be **ADDED** as sponsor to **HB 216**  
Motion Carried.

**HB 216** (Z. Perry, Chief Sponsor)  
B. Bennett.

Mr. Speaker, I move that the following undersigned name be **ADDED** as sponsor to **HB 255**  
Motion Carried.

**HB 255** (M. Monforton, Chief Sponsor)  
Swandal.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House recess until 6:40 p.m., Wednesday, January 28, 2015. Motion carried.

House recessed at 2:45 p.m.  
House reconvened at 6:40 p.m.

**MOTIONS**

Majority Leader Regier moved that the House recess for the purpose of receiving the State of the State Address from the Honorable Steve Bullock, Governor of the State of Montana. Upon adjournment of the Joint Session, the House will be adjourned until the hour of 1:00 p.m., Thursday, January 29th. Motion carried.

Sergeant-at-Arms Lenz notified Speaker Knudsen that the Honorable Senate of the State of Montana was waiting outside the Chamber.

Speaker Knudsen requested Sergeant-at-Arms Lenz to admit the Honorable Senate into the House chamber.

Speaker Knudsen introduced Senate President Barrett and yielded the Chair to her.

Senate Majority Leader Rosendale moved that the body resolve itself into a Joint Session for the purpose of receiving the State of the State address from the Honorable Steve Bullock, Governor of the State of Montana. Motion carried.

Senate Majority Leader Rosendale moved that the President be authorized to appoint a



HOUSE JOURNAL  
NINETEENTH LEGISLATIVE DAY - JANUARY 28, 2015

committee of four to notify the Governor that we are in joint session and ready to receive the State of the State address. Motion carried.

President Barrett appointed Senator Jones, Senator Kaufman and Representative McConnell and Representative Custer and discharged them to escort the Governor into the Chamber.

President Barrett asked the members to stand for the invocation by Representative Pease-Lopez.

The Posting of the Colors was done by members of the Montana Youth Challenge Color Guard.

President Barrett thanked the Montana Youth Challenge Color Guard and Lizzie Johnson who performed the National Anthem.

Sergeant-at-Arms Spencer announced that the Honorable, Governor Steve Bullock and the committee of four awaited entrance to the House.

President Barrett directed Sergeant-at-Arms Spencer to please admit the Governor.

President Barrett introduced to the audience and the people of Montana the Governor of the State of Montana, the Honorable Steve Bullock.

Governor Bullock made the following remarks:

Madam President, Mr. Speaker, members of the 64th Legislature, Lieutenant Governor McLean, honored members of our judiciary, my fellow statewide officials, distinguished tribal leaders, members of the Cabinet and my staff. My wife Lisa, and our three children, Caroline, Alex and Cameron:

Two years ago I stood in this chamber and told you I would work hard every day, guided by my values and the values of Main Street, mainstream Montana, to promote and protect this place we love. To grow opportunities. To pass on a better place to our kids and grandkids. I told you I'd focus on the people of our state, not the politics that sometimes divide us.

And two years later, I am pleased to report - the state of our state is strong!

Unemployment is down - over 25% lower in Montana than it was two years ago, and almost a point and a half below the national average.

We are creating jobs at a pace that is among the fastest in our state's history, with over 12,000 new jobs created last year alone.

That growth is occurring across our economy. Our forest products industry is stronger today

HOUSE JOURNAL  
NINETEENTH LEGISLATIVE DAY - JANUARY 28, 2015

than even before the recession, and we have added hundreds of jobs restoring forests and watersheds.

We're taking the technologies being developed at our universities and bringing them to the marketplace - helping emerging small businesses create new jobs. And our workforce is better prepared for the 21st century jobs being created.

Between near record coal production and new wind development, Montana continues to lead on power - heck, even more people than ever are asking for solar on their roofs.

We've secured a long-term, job-creating flying mission at Gore Hill for the Montana Air National Guard - making our state and our nation stronger, more secure.

Speaking of service members, we are leading the nation putting the training and expertise these heroes gained serving our country to work right here in Montana, giving them college credits or industry credentials for their past experience. Whether it's a medic becoming an EMT or a transport driver now looking to operate an earth mover, red tape will not stand between a vet and a good job.

And while we've grown the economy, we've also made government more effective and efficient.

By challenging every expense and modernizing, Montana has become the envy of the other states. We balanced our budget and have hundreds of millions in the bank. But don't just take my word for it, look yourself. I put the state's checkbook online so you can see how your taxpayer dollars are being spent.

We no longer have billions of dollars of unfunded retirements hanging over our economy like a dark cloud. We shored up our pensions without raising taxes or leveraging our future on the backs of public servants - the first state to do so.

Our tireless dedication to protecting and preserving our economic health and strength is getting noticed. National publications highlighted us as - quote - the most fiscally prudent state in the nation.

Through the Main Street Montana Project, I worked with two of our most prominent CEOs to engage thousands of businessmen and women across our state. Together, they helped us write a Main Street Business Plan. I am asking leaders from every business sector to identify opportunities for growth and where government is standing in the way.

And, as part of that effort, I stand in front of you as a Governor who is currently repealing or streamlining 714 rules and regulations that are unnecessary, unwarranted or that stand in the way of even greater economic growth....and that number will just keep rising!

These efforts matter, for today and tomorrow. Just like investments in our kids.

HOUSE JOURNAL  
NINETEENTH LEGISLATIVE DAY - JANUARY 28, 2015

Our public schools are innovating as we continue to challenge our students and teachers to achieve even greater successes.

Our high school dropout rates are down and our graduation rates are up - higher than they've ever been before in our state!

Over 2,000 students enrolled in college classes last fall while still in high school - that's twice as many as since we last met. This not only gives them a jumpstart on their college degree, it's saving Montana students and their families \$4 million in tuition and fees this year alone.

On college entrance exams, we're first in reading proficiency and round out the top five in math, science and English.

Our eighth graders are first in the nation in science scores - and among the highest in reading and math.

Montana companies have partnered with my office to give back to the communities they call home - Since we last gathered, over 41,000 more children in our state start each school day ready to learn, knowing they will have a healthy breakfast at school.

My fellow Montanans, our state is strong and we can grow even stronger!

We can grow even stronger, ensuring that the state our kids inherit is greater than the one we live in today. Here's how:

First, we must maintain our fiscal discipline - and, quite frankly, our fiscal sanity.

Second, together we must lay the foundation for a better future, by investing in our infrastructure, our workforce, and our youth-- investments that will benefit Montanans for generations - well beyond the tenure of any governor or legislator. Though, we can't lay the foundation for a better future, if we turn a blind eye to those who need our help most.

Finally, we must take some challenging issues head-on to preserve and add certainty in this place we love.

In recent years, some states have experimented with the idea that a state could grow by decimating revenues and making deep cuts in their schools. It's the idea that the middle class is somehow going to grow by prosperity trickling down from the top.

As we gather this evening, both celebrating our past accomplishments and looking to the future:

HOUSE JOURNAL  
NINETEENTH LEGISLATIVE DAY - JANUARY 28, 2015

- Wisconsin starts its legislative session with a projected \$2.2 billion deficit for the next biennium - that's billion, with a "B."
- Kansas? \$650 million upside down, a court order requiring better funding for their schools, and they're considering millions in new taxes.
- And New Jersey has had their credit rating downgraded eight times in the last five years, and has record debt.

These experiments have failed. I'm glad that we've not chosen that path. We've taken a balanced approach. We've protected our fiscal health. We've invested in our priorities. We've maintained cash surpluses. And we've done all of this while also being named one of the most tax-friendly states in the nation - both for businesses and individuals.

I insist that Montana remain the most fiscally responsible state in the country. We must balance our budget. And we must keep money set aside for those unexpected rainy days.

Now, some people in this room have chided me for insisting on setting a little money aside. At the end of the last legislature some asked what these rainy days were that I was saving for.

Unlike most states, our fiscal health and our balanced budget meant we didn't have cuts in service to taxpayers or layoffs during the federal government's irresponsible shutdown.

The fiscal discipline that I've demanded and Montanans expect, that's what has led to all of these accolades about our budgetary health. But it's not just about federal government shutdowns and awards.

I ask that we leave \$300 million in the rainy day fund at the session's end. Since 1990, Montana's ending fund balance has fallen below \$300 million 16 times. In nearly half of those years, a special session of the legislature was required. I believe that we - you and I - can get our job done while you're here in town for the next several months. We must balance our budget and appropriately plan for the rainy days that we don't foresee. We shouldn't need a special legislative session, costing Montanans over \$70,000 each day, to either raise taxes or cut essential services.

Please join me in making responsible fiscal management our top shared priority.

Our fiscal strength has given us the ability to help communities across our state. We regularly meet with local officials to ask how things are and how the policies made in Helena can improve lives for Montanans.

Kevin Dorwart from the city of Glendive threw out an idea in one of those meetings.

The state has a revolving loan program that allows cities and counties to borrow money for wastewater and drinking water projects. Kevin suggested that the state explore lowering the

HOUSE JOURNAL  
NINETEENTH LEGISLATIVE DAY - JANUARY 28, 2015

interest rate it charges for these projects.

I looked at the numbers, and it penciled out. These are changes no one had suggested to me before Kevin brought up the idea, and changes that would not be possible if we didn't have the fiscal security we do.

For taxpayers in Glendive, that's going to mean \$6.8 million in savings on the new sewage treatment plant.

In Havre, where they're replacing theirs, \$1.9 million in savings.

And in Great Falls, where they're upgrading their water treatment plant, ratepayers will save almost \$10 million.

Across our state we're flexing our fiscal muscle. Because of that and Kevin Dorwart's good idea, Montana communities will save \$40 million. Kevin would be here tonight, but he's celebrating his daughter's fifteenth birthday - he deserves our thanks.

Kevin, and people like him, ought to be good reminders for us all. The work we do in this building isn't about who wins or who loses. It's not about elections. It's about real people, impacting lives and serving in a way that betters life for those we were chosen to humbly represent. It's not about politics. It's about people.

Nothing puts politics in the backseat quicker than when a community faces a disaster. As we gather tonight, crews near Glendive are finishing another day cleaning up the Yellowstone River and ensuring residents have clean drinking water. Let's keep them in our thoughts.

Kevin Dorwart's idea is just a starting point for how we can make a difference for folks back home.

In order for businesses, communities and our state to flourish - while also protecting what's great about this place - government has to provide good roads, 21st century classrooms, safe bridges, clean drinking water.

Nowhere are the needs more obvious than in the oil and gas impacted communities across Eastern Montana.

The challenges are significant . . . and that's why I am asking the legislature to invest significantly more in Eastern Montana than the rest of the state. However, those communities are not alone in facing challenges. In Western Montana we have failing wastewater systems, and dams that have reached the end of their lives. In Eastern Montana we must invest in

regional water systems that deliver good, clean drinking water to more communities. We are not Eastern Montanans and Western Montanans - we are Montanans and we need to come

HOUSE JOURNAL  
NINETEENTH LEGISLATIVE DAY - JANUARY 28, 2015

together.

I ask you to join Representative Jeff Welborn and me in Building Montana; creating 4,000 good-paying construction jobs by investing over \$300 million into bridges, water and sewer systems, schools and roads. And let's do it without raising taxes or endangering our solid financial position.

I understand there are some folks in this room who say they're opposed to using Montana's sterling credit rating, even when we are investing in projects that will benefit Montanans for generations. And even though Montana has among the lowest debt per capita of any state; we're 47th out of 50.

I don't understand those who say they want to run government like a business, yet won't consider using commonsense and sound financial tools. Montana's investments have returned eight percent over the last decade. And because we've insisted on disciplined financial management, Montana can issue bonds at historically low rates. By using both cash on hand and bonds to fund these long term investments, we can employ the same sound fiscal management that got us to the position of strength we know today. Bonding plus cash... just makes sense.

All across Montana, local governments, schools and even the state Legislature regularly make long-term infrastructure investments by issuing bonds. Every one of the returning members of the House voted to bond infrastructure projects last session.

Again, we are one state. Any infrastructure plan that is paid for by all Montanans, but only benefits some, will be met with a veto. And I won't consider any plan that prioritizes pet projects of one legislator at the expense of the rest of you. We should build up all of our state, meeting the needs of President Barrett's constituents in Dillon, Speaker Knudsen's in Culbertson and all Montanans in between.

Let's not let politics get in the way of 4,000 good-paying construction jobs, and long-term investments in our communities and state.

And as we undertake these projects all over the state, let's make sure our friends and neighbors are doing the work. When Montana taxpayers are funding construction projects, we should be hiring Montanans to do the job.

We have a law that says that half of the workers on state-funded construction projects should be Montana residents. Two years ago, I asked you to increase that to 75 percent. Unfortunately, that bill never got to my desk.

Every one of our neighboring states has greater preferences for their workers than we do for ours. I refuse to believe their legislatures care more about them than you do about Montanans. So, I'm asking you to join Senator Driscoll and me, and Hire Montanans First. Put more money in the hands of Montana businesses and help create jobs for Montana workers.

HOUSE JOURNAL  
NINETEENTH LEGISLATIVE DAY - JANUARY 28, 2015

Hardly a week goes by where I'm not on the phone with business leaders, encouraging them to expand into Montana. The first question any CEO will ask is not about taxes or regulations - both places where Montana succeeds. They ask whether we have a pipeline of talented and trained workers they can rely on to help their business grow and prosper.

Given our state's low unemployment rate, now is the time to focus on effective worker training. Partnering with our university system, local officials and 100 businesses, we are investing over \$40 million to expand and streamline education and training opportunities in advanced manufacturing, health care, and the energy industry.

We're taking higher-skilled, high-demand fields - like certified nurse assistants and registered welders - and using our two-year, four-year and tribal colleges to train workers with those skills. The goal isn't always a college degree, sometimes it is just a stackable credential. But in all cases, the goal is a better job!

In Great Falls, we have welders getting training and credit at the two-year college and also earning a living wage at companies like ADF and Anderson Steel. And soon, we'll have healthcare professionals - like CNAs and Rad Techs - doing the same.

By placing workers at businesses that want to help train them, we've built a foundation for a program that we all should want to grow.

But without a qualifying employer - like ADF or Wheatland Memorial Hospital in Harlowton - there can be no program. That's why I'm teaming up with Rep. Christy Clark to offer our partners in the private sector up to a \$4,000 tax credit for every apprentice they hire. We will encourage employers to train more workers on-the-job. And we will ensure Montana continues to have a pipeline of skilled workers, from healthcare to welding, ready to lead our state in today's global economy.

As we match today's workers to today's jobs, small businesses are creating the jobs of the future, right here in Montana.

I ask that you join me in nurturing the cutting edge research that combines Montana innovation with our can-do spirit - both in traditional industries like agriculture and manufacturing, and in emerging fields like photonics and bioscience. Help build these jobs of tomorrow by investing state dollars in the research being done today, on our campuses and in our businesses.

The goal isn't creating Nobel Prizes- though we'll take them if they come. The goal is creating jobs, and research is a proven job creator.

As we grow our economy, we cannot forget that it's a vibrant middle class that makes America great.

HOUSE JOURNAL  
NINETEENTH LEGISLATIVE DAY - JANUARY 28, 2015

I think back to my days growing up only blocks from where we gather tonight. In the late '70s, as the head of our single parent household, my Mom had to reenter the workforce. God knows, we had challenges - and Mom certainly faced obstacles trying to get a job to make ends meet. At the time, a woman in Montana was earning, on average, 56 cents for every dollar men were making.

My mom - and so many other women in 1978 - would have been better off making the same as the men they worked alongside of. But equal pay for equal work doesn't just benefit women, it benefits working families. Almost 70 percent of Montana families who have kids at home have both parents in the workforce. It's simple: When working women succeed, working families succeed.

We're doing better than we were in the late '70s, but women in Montana still earn just 74 cents for every dollar a man makes. I tasked Commissioner of Labor Pam Bucy and Director of Administration Sheila Hogan to bring together workers, employers and economists, and tackle this issue head on. Among other things, we are now training women on campuses and at job service centers how to prepare for interviews, negotiate for pay, and sell their strengths to prospective employers.

I'm asking you to join with me and Senators Caferro, Sands, and Representative Eck, and take three additional steps:

First, I ask you to take a significant step to close the wage gap by allowing for wage transparency. Study after study has demonstrated that simply allowing the opportunity to learn what coworkers earn leads to meaningful change in women's wages.

Second, under Montana law, when someone loses their job because they had to flee from domestic violence to protect themselves and their family, they're only eligible for 10 weeks of unemployment insurance- but any other accepted reason qualifies for up to 28 weeks. I'm counting on you to fix this, because worrying about paying the bills shouldn't keep families from being safe.

Finally, protect longevity so we don't financially punish state employees who leave their jobs to raise children or care for aging family members. When these employees return to state employment, they shouldn't have to start back at zero. All of their years of service should count.

Please take these simple steps to ensure fairness for Montana's working women.

When we make the kind of investments I have been talking about, we benefit Montanans for generations - long after you I and leave these positions of public trust we are privileged to hold.

Investments in education - done right - will provide the same return.

Our oldest, Caroline, is in seventh grade now. Caroline was in the first class of full-day kindergarten here in Helena, approved by this body in 2007. Her teacher was a long time



HOUSE JOURNAL  
NINETEENTH LEGISLATIVE DAY - JANUARY 28, 2015

educator named Karl Wolf; he's a bit of a legend around town. Years before Caroline, Karl taught four of my wife's brothers and sisters.

It was Mr. Wolf's last year of teaching, but that's not why he entered that first year of full-day kindergarten so excited. I'll never forget a conversation I had with him: He said, "Steve, there is so much more I can do with these kids now." Though, on a more somber note, he added, "But so many of these kids enter this kindergarten classroom and already barely have a chance."

How can it be that a child is already set to become a success or a statistic by the time he or she is five years old? How can we as a society not be doing everything we can to make sure these kids have every opportunity we can afford to succeed? Sure, we can point fingers at the parents or family or community, but will assigning blame change the trajectory of even one child in Montana?

You can help. We know that children in high-quality early childhood programs are more likely to read at grade level and more likely to earn a high school diploma. They are less likely to repeat a grade or require specialized education; less likely to become teenage parents, require public assistance, abuse drugs or end up in jail. The results are in, researchers and scientists across the country agree. This works.

Not only that, but for every dollar spent on early childhood, communities get at least a \$7 return on investment. That's why some of the biggest backers of pre-school programs are business leaders who see the significant economic benefit.

While an investment in our earliest learners makes solid economic sense, this isn't about the \$7 return. This is about children and this is about families. This is about Cliff and Gayle, the grandparents I met last year who are - unexpectedly - now raising their four-year-old granddaughter, Riley.

Cliff and Gayle sold the farm and retired to Great Falls in 2009, but their retirement and social security checks aren't quite enough to pay for a preschool program for Riley. Being a kiddo who has had a tough first few years, they knew she was going to need some special attention and a high quality program with teachers who could help her grow and be prepared for kindergarten - But it just isn't something they could afford. Then they heard about the Great Falls Public Preschool Program.

District leaders there recognized the value of preschool and patched together the funding to serve 100 four-year-olds who would not otherwise have the opportunity. When I met Cliff and Gayle, they told me how Riley was thriving and how grateful they were to be able to give her the opportunity to succeed when she enters kindergarten next year.

Programs like this and Head Start provide that opportunity for some kids, but long waiting lists ensure that just as many qualifying families are denied as are served. And too many families

HOUSE JOURNAL  
NINETEENTH LEGISLATIVE DAY - JANUARY 28, 2015

and children fall in the gap between qualifying for an income-based program and not being able to afford one of our many high-quality private preschool programs.

At no fault of their own, these children are predisposed to miss opportunities in life because we're not giving them a chance.

That's why I'm asking you to join me in giving our earliest learners an Early Edge.

What I'm proposing is pretty simple - we'll offer state block grants to all communities to create or expand high-quality pre-Kindergarten programs. Locally elected school districts can build a new program, partner with existing providers, or do nothing at all. And, importantly, participation in these programs will be voluntary - school boards can decide if it's the right option for their community and parents can decide if it's the right option for their kids.

My friends on the Republican side of the aisle pride themselves on spending taxpayer dollars wisely. That's exactly what I'm insisting upon. Qualified teachers making sure our students are prepared to succeed, a reasonable ratio of students to teachers, and engagement with the families.

Almost every other state has recognized that pre-school works. That's why it's unfortunate that it seems to have become a partisan football here in Montana. In the last school year, states with Republican governors invested 14 million - on average - brand new, additional dollars for pre-kindergarten. If Republican governors around the country can understand the importance of high-quality pre-school, I hope Republican legislators in Montana can, too.

Opportunity and achievement gaps exist - let's close them. Let's not miss this opportunity to give the next generation an Early Edge.

At the other end of the spectrum, American students and working families are being further pinched with rising tuition. But in Montana, we've frozen tuition the past two years at our universities and colleges - making that degree or certificate much more achievable. There's not a better value and education experience in the country than the Montana University System.

I ask you to again, join me in freezing tuition for Montanans. Prevent that tax increase on the 40,000 Montana students and families paying college tuition.

As we create jobs and build educational opportunities, we must not forget to extend opportunities to those who need our help the most.

I've yet to meet a family who doesn't have a friend or loved one struggling with mental illness. My heart breaks every time I hear about another youth suicide or another heroic warrior, home, but scarred, from repeated deployments. Like you, I want to do more every time I meet someone struggling with depression.

I'm asking that this body join me in prioritizing mental health by investing in proven,

HOUSE JOURNAL  
NINETEENTH LEGISLATIVE DAY - JANUARY 28, 2015

community-based treatments and services. I believe that we can reduce the growth in demand for state hospital services and ensure that we are ready to welcome these patients - our friends and our neighbors - back into our communities.

As we make long overdue investments at the community level, that doesn't mean we can shirk our responsibility to provide acute care. In Warm Springs this evening, 51 souls will sleep in a place built for 32 bunks. All 51 are there by court order. The patients and staff shouldn't have to tolerate this degree of overcrowding, and it shouldn't be tolerated by you, either. We need to invest in the full spectrum of our mental health system.

No one is more vulnerable than a child being abused or neglected. For a state that is doing so well, we have far too many children living in fear, living in the shadows. Foster care is up 60 percent in the last seven years, and the dedicated public servants tasked with checking in on the ever growing reports of abuse can't begin to handle all of the cases they've been assigned.

Since our days in Sunday School, we've known that we'll be judged by how we treat the least amongst us. This is our test. And this is our time.

Two years ago, I asked this body to fund 13 additional positions to better protect these children in harm's way. You denied that request. Last year, I used temporary funds to hire temporary child protection specialists. We need a long term fix. We need a system that keeps kids safer, places them with permanent families sooner and ensures that while they're in the care of the state, their basic needs - like seeing a doctor - are met.

Representative Kim Dudik and I are teaming up to do just that - please join us.

The foundation of greater opportunity will also be weakened if basic healthcare needs are not met. There are some who want to make Medicaid expansion about partisan politics and political ideology. They want to characterize it as a dispute between a democratic governor and republican legislative leadership. But the truth is, this isn't about us.

We all have health insurance already.

Medicaid expansion is about 70,000 Montanans who aren't offered and can't afford health care.

This is about the continued viability of our rural hospitals, critical to the physical and economic health of communities all across Montana.

This is about primary care nurses helplessly watching their uninsured patients forgo the additional treatment they need to fight chronic illnesses.

This is about the grandmother I spoke with last week, who asked why this legislature couldn't find a solution for her granddaughter who works hard but can't afford coverage.

This is about the young man displaying the early signs of mental illness who could avoid a full

HOUSE JOURNAL  
NINETEENTH LEGISLATIVE DAY - JANUARY 28, 2015

crisis if he got preventative help now.

And this is about all of us lucky enough to have insurance paying a hidden health care tax, when those without coverage end up in ERs, where treatment is most expensive... and that bill's going to you.

The 70,000 Montanans who are hiding in plain view - they're the working poor. The folks punching the clock, but not making enough to afford insurance. The 70,000 people we're talking about - that cook our meals, care for our loved ones, work our farms and ranches - they work hard and want for themselves and their families what you want for yours. The great majority have jobs, yet they still live in poverty.

That's why Representative Noonan and I are proposing a uniquely-Montana plan - based upon the popular Healthy Montana Kids Plan - that will extend coverage to the tens of thousands of Montanans who desperately need it. The Healthy Montana Plan will bring our federal dollars back to Montana, to cover those without insurance. We will negotiate with a private carrier to drive down rates and reform the way that Medicaid is delivered in this state.

I understand there's a competing proposal being kicked around by some members of this body. It still relies on federal funds, yet refuses to take our fair share of those dollars. It would tell tens of thousands of Montanans to get a second or third job. It would turn away thousands of veterans and their families and thousands of aging Montanans whose children have already left the home. Bottom line: it would cover fewer people and cost more money.

We can do better.

Don't tell me you don't like government health care - like me, you're taking advantage of taxpayer-funded health insurance by being a legislator.

You're worried the federal government won't hold up their end? That's fine. I've included a clause in my plan that immediately terminates the program if the feds fall one penny short on their obligation to us.

You don't believe rural hospitals are struggling? Stop by my office tomorrow - I'll give you the cell phone number of the hospital executive in your district.

Montanans expect us to work together in their interest. This is too important to be about Republicans versus Democrats. That's why 28 states - red, blue, and purple- have already expanded. Right now we're turning away hundreds of millions of federal funds - funds that are going to states like Ohio, North Dakota, and New Jersey.

This isn't for me or you - we have health care. This is for the people of our state who need it the most. This is our test. And this is the time we get this done.

Health care is an area where we must come together, if we are earnest about moving our state

HOUSE JOURNAL  
NINETEENTH LEGISLATIVE DAY - JANUARY 28, 2015

forward. It is not the only area.

Our state gives businesses and entrepreneurs the certainty that leads to investment and economic growth. But a great degree of uncertainty hangs over many agricultural operations in Western Montana - and in reality - all across our state.

Over the last decade, the state government and the Confederated Salish and Kootenai Tribes have negotiated a water compact that affirms tribal treaty rights while protecting farmers and ranchers today and for generations, creates new sources of water for irrigators, and ends the uncertainty that decades of litigation would cause.

This is a fair deal and a great bipartisan solution - supported by Democrats and Republicans, including Attorney General Fox. I urge you to pass it.

And speaking of coming together, in the last two years, interests as diverse as our landscape have come together to protect the Greater Sage Grouse and ensure we're doing everything we can to keep management of the bird in state hands. From the oil and coal industries to conservationists and state legislators - these citizens have set aside their differences and worked together for the future of our state. I thank them. Please support their work by passing their budget request for this initiative, to protect the bird and our way of life.

Growing up, I chased my brother up and down the hills and mountains around here. He taught me how to catch a fish and how to start a fire. We didn't have a ton of money, but that didn't matter when it came to fishing, hiking and camping. Access to wild, quiet places is a birthright for Montanans and I will continue to fight to preserve public access to our lands, rivers and streams. And public lands will not be sold off to the highest bidder - not on my watch!

Now, at first glance, Senator Duane Ankney and I may not seem to have a lot in common.

By trade, I'm a lawyer, he's a coal miner. He's a Republican, I'm a Democrat. He's got a great mustache...and let's face it, I couldn't grow one like that if I wanted to.

But Duane and I are students of Montana history. We know of the "Copper Collar," where the influence of a few wealthy barons made themselves millions at the expense of the vast majority of working Montanans. They not only controlled our towns, they also controlled our elections.

It took brave citizens -some of whom preceded us in this hallowed chamber - who, in the face of unlimited money and power, joined together to take back a government that no longer represented them.

For a century, our elections - and the elected officials that prevailed in those contests - were responsive not to some anonymous corporation and their millions, but rather their neighbors who elected them. Our campaigns were something we could be proud of and our democracy worked.

HOUSE JOURNAL  
NINETEENTH LEGISLATIVE DAY - JANUARY 28, 2015

In recent years, on the heels of anti-democracy decisions by the U.S. Supreme Court, unlimited, secret money has flooded our elections, eroding our representative government and raising questions about the integrity of some elected officials.

Let me be clear: dark money corrupts our system and it is up to us to fix it.

It's simple: Every penny spent in our elections should be disclosed and Duane and I are proposing we do just that. We should have elections, not auctions. We should have public servants - not elected officials beholden to some special interest and their secret money.

Our forefathers had the courage to stand up to corruption - we should, too. I hope you'll support The Montana Disclose Act and three other measures I am offering to add sunshine to our elections.

My fellow Montanans, our state is strong. But I see us getting stronger.

I see a Montana that remains fiscally responsible, with a balanced budget and some money socked away for a rainy day.

I see a Montana where leaders of this State focus less on winning and losing, less on partisanship and political games, and more on the people we serve and the generation that will follow us.

I see a Montana where our cultural compass continues to be guided by the first Montanans - where we embrace this culture, and also work together to create new economic opportunities in Indian country.

I see a Montana where we continue to invest in our students and where a world class education is synonymous with Montana's public schools.

I see a Montana with a robust middle class, with even better paying jobs and greater opportunities - not a place where workers idly hope that prosperity will trickle down from Wall Street.

I see a Montana where as we climb higher, we never fail to offer a hand up to those who struggle. A Montana where we always remember that we have a right to quality, affordable health care and access to our public lands, rivers and streams - regardless of the size of our bank accounts.

I see a Montana - shaped by our values - that daily reminds us why we choose to call her home. A Montana that we'll be proud to pass on to our kids and grandkids. A Montana they'll be proud to inherit.

HOUSE JOURNAL  
NINETEENTH LEGISLATIVE DAY - JANUARY 28, 2015

May God bless Montana and God bless America.

Good night.

President Barrett thanked Governor Bullock for his State of the State Address.

President Barrett directed the committee of four to escort Governor Bullock from the Joint Session and requested the members remain standing as the Sergeants-at-Arms escorted the official party and guests from the Chamber.

Senate Majority Leader Rosendale moved that the joint session be adjourned. Motion carried.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
TWENTIETH LEGISLATIVE DAY**

Helena, Montana  
January 29, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Z. Brown. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

**BILLS** (Welborn, Chair):

1/29/2015

Correctly printed: **HB 241, HB 246, HB 303, SB 18, SB 33.**

Correctly engrossed: **HB 28, HB 158, HB 162, HB 202, HB 248, HJR 5.**

Transmitted to the Senate: **HB 37, HB 56, HB 67, HB 88, HB 117.**

Representative Garner rose on a **Point of Personal Privilege** he apologized that in his testimony in the previous days session he referred to Representative Clark as Representative Christy.

**REPORTS OF STANDING COMMITTEES**

**EDUCATION** (Laszloffy, Chair):

1/28/2015

**HB 158**, introduced bill, be amended as follows:

1. Title, page 1, line 5 through line 7.

**Strike:** "PROVIDING" on line 5 through "20-5-404," on line 7

**Insert:** "ADDING VARICELLA TO THE LIST OF REQUIRED IMMUNIZATIONS; ~~REMOVING~~ REQUIREMENTS RELATED TO THE PERTUSSIS VACCINATION; PROVIDING FOR EXEMPTIONS FOR PERSONAL BELIEFS; AND AMENDING SECTIONS 20-5-403, 20-5-404, AND 20-5-405,"

2. Page 1, line 12 through page 3, line 28.

**Strike:** everything after the enacting clause

**Insert:** "**Section 1.** Section 20-5-403, MCA, is amended to read:

**"20-5-403. Immunization required -- release and acceptance of immunization records.**

(1) The governing authority of any school other than a postsecondary school may not allow a person to attend as a pupil unless the person:

(a) has been immunized against varicella, diphtheria, pertussis, tetanus, poliomyelitis, rubella, mumps, and measles (rubeola) in the manner and with immunizing agents approved by the department; ~~except that pertussis vaccination is not required for a person 7 years of age or older;~~

(b) has been immunized against Haemophilus influenza type "b" before enrolling in a preschool if under 5 years of age;

(c) qualifies for conditional attendance; or

(d) files for an exemption.

(2) (a) The governing authority of a postsecondary school may not allow a person to attend



HOUSE JOURNAL  
TWENTIETH LEGISLATIVE DAY - JANUARY 29, 2015

as a pupil unless the person:

(i) has been immunized against rubella and measles (rubeola) in the manner and with immunizing agents approved by the department; or

(ii) files for an exemption.

(b) The governing authority of a postsecondary school may impose immunization requirements as a condition of attendance that are more stringent than those required by this part.

(3) A pupil who transfers from one school district to another may photocopy immunization records in the possession of the school of origin. The school district to which a pupil transfers shall accept the photocopy as evidence of immunization. Within 30 days after a transferring pupil ceases attendance at the school of origin, the school shall retain a certified copy for the permanent record and send the original immunization records for the pupil to the school district to which the pupil transfers."

"

**Insert: "Section 2.** Section 20-5-404, MCA, is amended to read:

**"20-5-404. Conditional attendance.** The governing authority of a school other than a postsecondary school may allow the commencement of attendance in school by a person who has not been immunized against each disease listed in 20-5-403 if that person has received one or more doses of ~~polio, measles (rubeola), mumps, rubella, diphtheria, pertussis, Haemophilus influenza type "b", and tetanus vaccine~~ the vaccine for each disease listed in 20-5-403, except that ~~pertussis vaccine is not required for a person 7 years of age or older and Haemophilus influenza type "b" vaccine is required only for children under 5 years of age.~~"

"

**Insert: "Section 3.** Section 20-5-405, MCA, is amended to read:

**"20-5-405. Medical, personal, or religious exemption.** (1) When a parent, guardian, or adult who has the responsibility for the care and custody of a minor seeking to attend school or the person seeking to attend school, if an adult, signs and files with the governing authority, prior to the commencement of attendance each school year, a notarized affidavit on a form prescribed by the department stating that immunization is contrary to the personal beliefs or religious tenets and practices of the signer, immunization of the person seeking to attend the school may not be required prior to attendance at the school. The statement must be maintained as part of the person's immunization records. ~~A person who falsely claims a religious exemption is subject to the penalty for false swearing provided in 45-7-202.~~

(2) When a parent, guardian, or adult who has the responsibility for the care and custody of a minor seeking to attend school or the person seeking to attend school, if an adult, files with the governing authority a written statement signed by a physician licensed to practice medicine in any jurisdiction of the United States or Canada stating that the physical condition of the person seeking to attend school or medical circumstances relating to the person indicate that some or all of the required immunizations are not considered safe and indicating the specific nature and probable duration of the medical condition or circumstances that contraindicate immunization, the person is exempt from the requirements of this part to the extent indicated by the physician's statement. The statement must be maintained as part of the person's immunization records.

(3) Whenever there is good cause to believe that a person for whom an exemption has been filed under this section has a disease or has been exposed to a disease listed in 20-5-403 or will as the result of school attendance be exposed to the disease, the person may be excluded from the school by the local health officer or the department until the excluding authority is satisfied

HOUSE JOURNAL  
TWENTIETH LEGISLATIVE DAY - JANUARY 29, 2015

that the person no longer risks contracting or transmitting that disease.""

And, as amended, do pass. Report adopted.

**HB 162**, introduced bill, be amended as follows:

1. Title, page 1, line 5 through line 6.

**Strike:** "CLARIFYING" on line 5 through "REQUIREMENTS" on line 6

**Insert:** "PROHIBITING A SCHOOL DISTRICT FROM CHARGING A FEE TO A STUDENT WHO ENROLLS IN A MONTANA DIGITAL ACADEMY CLASS"

2. Title, page 1, line 8 through line 9.

**Strike:** "PROHIBITING" on line 8 through "ACADEMY;" on line 9

3. Page 1, line 20.

**Following:** "policies;"

**Insert:** "and"

4. Page 1, line 22 through line 25.

**Strike:** "; and" on line 22 through "learning" on line 25

5. Page 2, line 26.

**Strike:** "0.85"

**Insert:** "0.2"

6. Page 2, line 27.

**Strike:** "0.70"

**Insert:** "0.1"

7. Page 2, line 30.

**Strike:** "0.5"

**Insert:** "0.2"

8. Page 3, line 1.

**Insert:** "(2) A school district is prohibited from charging a fee to a student who enrolls in a class provided by the Montana digital academy."

**Renumber:** subsequent subsections

9. Page 3, line 5.

**Strike:** "\$150"

**Insert:** "\$120"

10. Page 3, line 8 through line 9.

**Strike:** section 3 in its entirety

**Renumber:** subsequent sections

HOUSE JOURNAL  
TWENTIETH LEGISLATIVE DAY - JANUARY 29, 2015

11. Page 3, line 11.

**Strike:** "[Sections 2 and 3] are"

**Insert:** "[Section 2] is"

12. Page 3, line 13.

**Strike:** "[sections 2 and 3]"

**Insert:** "[section 2]"

And, as amended, do pass. Report adopted.

**HB 248**, do pass. Report adopted.

**HB 303**, do pass. Report adopted.

**NATURAL RESOURCES** (White, Chair):

1/28/2015

**HJR 5**, be adopted. Report adopted.

**TAXATION** (Miller, Chair):

1/29/2015

**SB 18**, be concurred in. Report adopted.

**SB 33**, be concurred in. Report adopted.

**TRANSPORTATION** (Lavin, Chair):

1/26/2015

**HB 246**, do pass. Report adopted.

**TRANSPORTATION** (Lavin, Chair):

1/28/2015

**HB 202**, do pass. Report adopted.

**HB 241**, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**Senate bills** passed and transmitted to the House for concurrence:

1/27/2015

**SB 76**, introduced by Vuckovich

**SB 77**, introduced by Debby Barrett

**SB 104**, introduced by Arntzen

**SB 117**, introduced by Tutvedt

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 6**, introduced by M. Cuffe, referred to Appropriations.

**HB 7**, introduced by M. Cuffe, referred to Appropriations.

**HB 8**, introduced by M. Cuffe, referred to Appropriations.

**HB 11**, introduced by M. Cuffe, referred to Appropriations.

HOUSE JOURNAL  
TWENTIETH LEGISLATIVE DAY - JANUARY 29, 2015

**HB 15**, introduced by M. Cuffe, referred to Appropriations.

**HB 347**, introduced by V. Court, R. Brodehl, D. Brown, M. Cuffe, B. Hamlett, D. Hayman, M. McNally, F. Moore, R. Osmundson, J. Pomnichowski, C. Smith, J. Taylor, M. Tropila, R. Webb, referred to Business and Labor.

**HB 348**, introduced by N. Ballance, C. Smith, F. Thomas, referred to Human Services.

**HB 349**, introduced by K. Williams, referred to Human Services.

**HB 350**, introduced by R. Shaw, Z. Brown, R. Cook, G. Custer, C. Glimm, R. Hollandsworth, R. Lynch, J. Welborn, K. White, referred to Business and Labor.

**HB 351**, introduced by T. Jacobson, referred to Judiciary.

**HB 352**, introduced by T. Jacobson, referred to Natural Resources.

**HB 353**, introduced by E. Greef, referred to Federal Relations, Energy, and Telecommunications.

**HB 354**, introduced by R. Brodehl, V. Court, M. Cuffe, R. Ehli, D. Jones, A. Redfield, M. Tropila, referred to Appropriations.

**HB 355**, introduced by A. Doane, referred to Agriculture.

**HB 356**, introduced by D. Jones, W. McKamey, referred to Appropriations.

**HB 357**, introduced by K. White, N. Ballance, G. Bennett, C. Glimm, E. Greef, B. Harris, S. Hess, F. Mandeville, A. Redfield, K. Regier, T. Richmond, R. Shaw, B. Tschida, K. Wagoner, referred to Local Government.

**HB 358**, introduced by R. Lynch, referred to Human Services.

**HB 359**, introduced by E. Lieser, referred to Taxation.

**HB 360**, introduced by D. Zolnikov, referred to Business and Labor.

The following Senate bills were introduced, read first time, and referred to committees:

**SB 76**, introduced by G. Vuckovich (by request of the Department of Labor and Industry), referred to Business and Labor.

**SB 77**, introduced by Debby Barrett (by request of the Board of Medical Examiners), referred to Business and Labor.

**SB 104**, introduced by E. Arntzen (by request of the Board of Massage Therapy), referred to Business and Labor.

**SB 117**, introduced by B. Tutvedt, referred to Transportation.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion Carried. Representative Hunter in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HOUSE JOURNAL  
TWENTIETH LEGISLATIVE DAY - JANUARY 29, 2015

**HB 42** - Representative Greef moved **HB 42** do pass.

**HB 42** - Representative Lang moved **HB 42**, second reading copy, be amended as follows:

1. Page 1, line 22.

**Strike:** "sends"

**Insert:** "serves 200 or fewer customers, the utility may send"

**Following:** "CUSTOMERS,"

**Insert:** "and"

2. Page 1, line 23.

**Following:** "required."

**Insert:** "The written notice may be included with a monthly billing statement."

Amendment adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, MacDonald, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Perry, Pierson, Pinocci, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Swanson, Tschida, Wagoner, Welborn, White, Williams, Zolnikov, Mr. Speaker.  
Total 83

Nays: B. Bennett, Dunwell, Fitzpatrick, Jacobson, Lieser, Lynch, Mandeville, Peppers, Person, Pope, Schreiner, Steenberg, Tropila, Webber, Wilson, Wittich, Woods.  
Total 17

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 42** - Representative Greef moved **HB 42**, as amended, do pass. Motion **failed** as follows:

Yeas: J. Bennett, Berry, Brodehl, Burnett, Custer, Ehli, Fiscus, Fitzpatrick, Garner, Glimm, Greef, Hagstrom, Hertz, Hollandsworth, Holmlund, Lang, Meyers, Moore, Noland, Olszewski, Osmundson, Pinocci, Redfield, Regier, Ricci, Richmond, Shaw, Staffanson, Welborn.  
Total 29

HOUSE JOURNAL  
TWENTIETH LEGISLATIVE DAY - JANUARY 29, 2015

Nays: Ballance, B. Bennett, Berglee, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Flynn, Funk, Harris, Hayman, Hess, Hill, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Monforton, Mortensen, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Salomon, Schreiner, Schwaderer, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 71

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 54** - Representative Person moved **HB 54** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.  
Total 96

Nays: Berry, Doane, Lamm, Zolnikov.  
Total 4

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 126** - Representative Peppers moved **HB 126** do pass. Motion carried as follows:

Yeas: B. Bennett, Berry, Brodehl, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Funk, Garner, Greef, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Richmond, Schreiner,

HOUSE JOURNAL  
TWENTIETH LEGISLATIVE DAY - JANUARY 29, 2015

Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 59

Nays: Ballance, J. Bennett, Berglee, B. Brown, Burnett, Clark, Cook, Cuffe, Doane, Ehli, Fitzpatrick, Flynn, Glimm, Hagstrom, Hertz, Hess, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Miller, Monforton, Mortensen, Osmundson, Randall, Redfield, Regier, Ricci, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 129** - Representative Hill moved **HB 129** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Tropila.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 133** - Representative MacDonald moved **HB 133** do pass.

HOUSE JOURNAL  
TWENTIETH LEGISLATIVE DAY - JANUARY 29, 2015

**HB 133** - Representative MacDonald moved **HB 133**, second reading copy, be amended as follows:

1. Page 1, line 27.

**Following:** "(b)"

**Strike:** "The following" on line 27 through "(i) contracts" on line 28

**Insert:** "Contracts"

2. Page 1, line 29.

**Following:** "SPECIALTY COURTS"

**Insert:** "may be awarded based on a fixed fee"

3. Page 1, line 30.

**Strike:** "(A)"

**Insert:** "(i)"

**Renumber:** subsequent subsections

4. Page 2, line 6.

**Strike:** "; AND"

**Insert:** "."

5. Page 2, line 7 through line 10.

**Strike:** subsection (ii) in its entirety

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 93

Nays: B. Brown, Burnett, Doane, Manzella, Mortensen, Redfield, Zolnikov.

Total 7

Excused: None.

Total 0



HOUSE JOURNAL  
TWENTIETH LEGISLATIVE DAY - JANUARY 29, 2015

Absent or not voting: None.

Total 0

**HB 133** - Representative MacDonald moved **HB 133**, as amended, do pass. Motion carried as follows:

Yeas: B. Bennett, Brodehl, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Funk, Greef, Hagstrom, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Salomon, Schreiner, Schwaderer, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 63

Nays: Ballance, J. Bennett, Berglee, Berry, B. Brown, Burnett, Cuffe, Doane, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Harris, Hertz, Hess, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Monforton, Mortensen, Noland, Randall, Redfield, Regier, Ricci, Richmond, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Zolnikov.

Total 37

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 138** - Representative Hill moved **HB 138** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: Brodehl, Glimm, Greef, Lamm, Olsen, Regier, Schwaderer, White.

Total 8

HOUSE JOURNAL  
TWENTIETH LEGISLATIVE DAY - JANUARY 29, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 155** - Representative Funk moved **HB 155** do pass. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Garner, Hagstrom, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Schwaderer, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Mr. Speaker.

Total 59

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hertz, Hess, Jones, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Monforton, Mortensen, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov.

Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 211** - Representative Wagoner moved **HB 211** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 97

Nays: Hagstrom, Wittich, Zolnikov.

Total 3

HOUSE JOURNAL  
TWENTIETH LEGISLATIVE DAY - JANUARY 29, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 222** - Representative Hollandsworth moved **HB 222** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Peppers, Perry, Pierson, Pinocci, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw,

Smith, Staffanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 72

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Karjala, Kelker, Kipp III, Lieser, MacDonald, McCarthy, McConnell, Olsen, Pease-Lopez, Person, Pope, Steenberg, Swanson, Williams, Wilson, Woods.

Total 28

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion Carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Hunter moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

HOUSE JOURNAL  
TWENTIETH LEGISLATIVE DAY - JANUARY 29, 2015

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 12** passed as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 67

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Doane, Ehli, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hess, Jones, Lamm, Lang, Laszloffy, Mandeville, Manzella, Monforton, Moore, Noland, Randall, Redfield, Regier, Ricci, Schwaderer, Tschida, Wagoner, White.

Total 33

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 27** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen,

HOUSE JOURNAL  
TWENTIETH LEGISLATIVE DAY - JANUARY 29, 2015

Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 94

Nays: Glimm, Monforton, Schwaderer, Staffanson, Tschida, Zolnikov.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 107** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Hertz, Staffanson.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 132** passed as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey,

HOUSE JOURNAL  
TWENTIETH LEGISLATIVE DAY - JANUARY 29, 2015

Mehlhoff, Meyers, Miller, Monforton, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 94

Nays: Ballance, Burnett, Doane, Mortensen, Wittich, Zolnikov.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 150** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Meyers, Miller, Monforton, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 89

Nays: Berry, Harris, Lamm, Manzella, Mehlhoff, Mortensen, Pinocci, Randall, Staffanson, White, Zolnikov.

Total 11

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 182 failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Hertz, Hess, Holmlund,

Jones, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Monforton, Mortensen,

HOUSE JOURNAL  
TWENTIETH LEGISLATIVE DAY - JANUARY 29, 2015

Noland, Olszewski, Osmundson, Randall, Regier, Richmond, Schwaderer, Tschida, Wittich, Zolnikov, Mr. Speaker.

Total 41

Nays: B. Bennett, Berry, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Harris, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lang, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Ricci, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods.

Total 59

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**MOTIONS**

Majority Leader Regier moved **HB 138** be moved from the Committee of the Whole to the Appropriations committee.

Representative Miller moved **HB 154** be moved from the Third Reading Board to the Taxation committee.

Majority Leader Regier moved **HB 155** be moved from the Committee of the Whole to the Appropriations committee.

Representative Hagstrom moved to change his vote on **HB 12** from Yes to No. Without objection, so ordered.

Representative Williams moved to change her vote on **HB 155** from No to Yes. Without objection, so ordered.

**UNFINISHED BUSINESS**

Mr. Speaker, I move that the following undersigned names be **ADDED** as sponsors to **HB 285**  
Motion Carried.

**HB 320** (C. Glimm Chief Sponsor)

Ballance, G. Bennett, Berglee, Brodehl, B. Brown, Cuffe, Doane, Ehli, Fiscus, Garner, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, D. Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, D. Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, White, and Zolnikov.

HOUSE JOURNAL  
TWENTIETH LEGISLATIVE DAY - JANUARY 29, 2015

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Friday, January 30, 2015.  
Motion carried.

House adjourned at 2:30 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House



**HOUSE JOURNAL  
64TH LEGISLATURE  
TWENTY-FIRST LEGISLATIVE DAY**

Helena, Montana  
January 30, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Jerry Bennett. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

**MOTIONS**

Majority Leader Regier moved the House recess for the purpose of receiving an address by the Honorable Congressman from the State of Montana, Ryan Zinke. Upon Adjournment of the Joint Session, the House will reconvene. Motion carried.

House in Recess.

Sergeant-at-Arms Lenz notified Speaker Knudsen that the Honorable Senate of the State of Montana was awaiting entrance to the Chamber.

Speaker Knudsen requested Sergeant-at-Arms Lenz admit the Honorable Senate into the House Chambers.

Speaker Knudsen introduced Senate President Barrett.

Senate Majority Leader Rosendale moved that the body resolve itself into a joint session for the purpose of receiving an address from the Honorable Congressman from the State of Montana, Ryan Zinke. Motion carried.

Senate Majority Leader Rosendale moved that President Barrett be authorized to appoint a committee of four to notify Congressman Zinke that the body was in joint session and ready to receive his address. Motion carried.

President Barrett appointed Senator Buttrey, Senator Stewart Peregoy, Representative Smith, and Representative Olszewski to escort Congressman Zinke into the House Chambers.

Sergeant-at-Arms Spencer announced that the Honorable Congressman Ryan Zinke, was awaiting entrance to the House.

The Committee escorted Congressman Zinke into the Chambers.

HOUSE JOURNAL  
TWENTY-FIRST LEGISLATIVE DAY - JANUARY 30, 2015

President Barrett introduced Congressman Zinke to the Joint Session.

Congressman Zinke gave the following remarks:

**INTRODUCTION**

1. Thank House Speaker Knudsen and Senate President Barrett.
2. Thank the members of the press.
3. Thank the People of Montana

**CONSTITUTION**

My first day as your Congressman started the same way my first days in the Navy and State Senate started: with an Oath. I took an oath to defend the constitution from enemies both foreign and domestic. And that's exactly what I'm going to do.

**LOCAL CONTROL**

The Constitution respects the sovereignty of the states and local governments. Yet, we have a President from Chicago who believes he knows how to manage Montana better than Montanans.

1. Public Lands-In Montana, our land is our way of life. That's why I fought to be on the Natural Resources Committee.
  - a. Co-sponsored the Recreational Fishing and Hunting Heritage and Opportunities Act-Protects hunting and fishing rights on federal lands
  - b. Forestry Reform-Fire vs Harvest. Economic engine local communities.
  - c. Public access to public lands: tourism, recreation, hunting, farming and grazing, energy
  - d. Sage Grouse and other wildlife
2. Energy-I am a Teddy Roosevelt Conservationist-I still drive a Prius. Protecting Montana lands and developing our energy potential are not mutually exclusive. If anything, Montana can be the engine that powers American energy independence.
  - a. On my first day in Congress, I co-sponsored legislation to build the Keystone Pipeline.
  - b. Update technology in aging pipelines and those in sensitive areas

**VETERANS**

1. We have a strong patriotic heritage in Montana: 1 in 10 of us have served in the military. During my first month in Congress, I worked on important legislation to help honor the promise we made to our veterans.
  - a. Introduced the Veterans Access to Community Care Act-Allows veterans in rural areas to seek care outside the VA if they live more than 40 miles away.

HOUSE JOURNAL  
TWENTY-FIRST LEGISLATIVE DAY - JANUARY 30, 2015

- b. Co-sponsored Hire our Heroes Act-Eliminates the penalty on small businesses who hire Veterans (ObamaCare exemption)
- c. Clay Hunt Suicide Prevention for American Veterans (SAV) Act-Strengthens suicide prevention services for veterans
- d. Today I visited the local VA facility-tell anecdote.

**INFRASTRUCTURE**

Infrastructure is a fundamental role of government and I urge Congress to approve a 5 year infrastructure plan-aging bridges, roads, pipelines

- a. Recent Oil Spill is an example of an aging pipeline that does not use latest technology
- b. Best technology available for sensitive areas
- c. Rail for ag

**CONCLUDE**

I will work with absolutely anybody who has the best interest of Montana at heart. Senators Steve Daines and Jon Tester and I have already worked together on a number of bipartisan measures for the people of Montana.

As the sole MT Rep I represent all Montanans not just those who voted for me.

- 1. Visited 6/7 tribes
- 2. Visited unions to find common ground and solutions to create more jobs

I have an open door policy in my office. Montanans are always welcome.

I'm an optimist. I think we are up to the challenge and we will get the job done for the people of Montana.

God bless you and God bless Montana.

Thank you.

President Barrett thanked Congressman Zinke and directed the committee of four to escort the Congressman from the Joint Session.

Senate Majority Leader Rosendale moved that the Joint Session of the 64th Legislature be adjourned. Motion carried.

The House reconvened.

HOUSE JOURNAL  
TWENTY-FIRST LEGISLATIVE DAY - JANUARY 30, 2015

**BILLS** (Welborn, Chair):

1/30/2015

Correctly printed: **HB 68, HB 85, HB 201, HB 209, HB 212, HB 224, HB 225, HB 265.**

Correctly engrossed: **HB 69, HB 187, HB 198, HB 206, HB 217, HB 221.**

Transmitted to the Senate: **HB 12, HB 27, HB 107, HB 132, HB 150.**

**REPORTS OF STANDING COMMITTEES**

**AGRICULTURE** (Redfield, Chair):

1/29/2015

**HB 206**, do pass. Report adopted.

**HB 265**, do pass. Report adopted.

**BUSINESS AND LABOR** (Berry, Chair):

1/30/2015

**HB 225**, do pass. Report adopted.

**FISH, WILDLIFE AND PARKS** (Flynn, Chair):

1/29/2015

**HB 212**, do pass. Report adopted.

**HB 221**, do pass. Report adopted.

**LOCAL GOVERNMENT** (Greef, Chair):

1/29/2015

**HB 224**, do pass. Report adopted.

**STATE ADMINISTRATION** (Essmann, Chair):

1/30/2015

**HB 68**, do pass. Report adopted.

**HB 69**, introduced bill, be amended as follows:

1. Page 1, line 25.

**Following:** "state."

**Insert:** "The training must also be offered online and through teleconferencing."

And, as amended, do pass. Report adopted.

**HB 85**, do pass. Report adopted.

**HB 198**, introduced bill, be amended as follows:

1. Title, page 1, line 5.

**Strike:** "SECTION"

**Insert:** "SECTIONS"

**Following:** "13-10-203"

**Insert:** "AND 20-20-401"

2. Page 1.

**Following:** line 19

**Insert:** "**Section 2.** Section 20-20-401, MCA, is amended to read:

HOUSE JOURNAL  
TWENTY-FIRST LEGISLATIVE DAY - JANUARY 30, 2015

**"20-20-401. Trustees' election duties -- ballot certification.** (1) The trustees are the general supervisors of school elections unless the trustees request and the county election administrator agrees to conduct a school election under 20-20-417.

(2) Not less than 25 days before an election, the clerk of the district shall prepare a certified list of the names of all candidates entitled to be on the ballot and the official wording for each ballot issue. The candidates' names must appear on the ballot in accordance with 13-12-203. The clerk

shall arrange for printing the ballots. Ballots for absentee voting must be printed and available at least 20 days before the election, except as provided in 20-9-426(2) for a bond election not held in conjunction with a school election. Names of candidates on school election ballots need not be rotated.

(3) Before the opening of the polls, the trustees shall cause each polling place to be supplied with the ballots and supplies necessary to conduct the election."

"

And, as amended, do pass. Report adopted.

**HB 209**, do pass. Report adopted.

**TAXATION** (Miller, Chair):

1/30/2015

**HB 201**, do pass. Report adopted.

**HB 217**, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**Senate bill** passed and transmitted to the House for concurrence:

1/28/2015

**SB 61**, introduced by Driscoll

**SB 90**, introduced by Swandal

**SB 139**, introduced by Sands

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 361**, introduced by G. Hertz, referred to Taxation.

**HB 362**, introduced by M. Dunwell, C. Pope, referred to Human Services.

**HB 363**, introduced by M. Funk, D. Zolnikov, referred to Business and Labor.

**HB 364**, introduced by N. Wilson, referred to Local Government.

**HB 365**, introduced by D. Moore, B. Brown, D. Brown, C. Fiscus, F. Garner, D. Howard, D. Mortensen, A. Olszewski, C. Smith, S. Staffanson, M. Tropila, R. Webb, J. Windy Boy, referred to Judiciary.

**HB 366**, introduced by G. Custer, referred to State Administration.

**HB 367**, introduced by G. Custer, referred to Local Government.

HOUSE JOURNAL  
TWENTY-FIRST LEGISLATIVE DAY - JANUARY 30, 2015

**HB 368**, introduced by G. Hertz, S. Fitzpatrick, D. Lamm, D. Moore, K. Regier, S. Staffanson, D. Zolnikov, referred to Taxation.

**HB 369**, introduced by C. Fiscus, referred to Judiciary.

The following Senate bills were introduced, read first time, and referred to committees:

**SB 61**, introduced by R. Driscoll (by request of the Public Defender Commission), referred to Judiciary.

**SB 90**, introduced by N. Swandal (by request of the Public Defender Commission), referred to Judiciary.

**SB 139**, introduced by D. Sands, B. Bennett, referred to Judiciary.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion Carried. Representative MacDonald in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 28** - Representative Eck moved **HB 28** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Harris.

Total 1

Excused: None.

Total 0

Absent or not voting: Jones.

Total 1

HOUSE JOURNAL  
TWENTY-FIRST LEGISLATIVE DAY - JANUARY 30, 2015

**HB 29** - Representative Jacobson moved **HB 29** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 87

Nays: J. Bennett, Brodehl, B. Brown, Cook, Doane, Hess, Lamm, Manzella, Monforton, Mortensen, Pinocci, White, Wittich.

Total 13

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 78** - Representative Lynch moved **HB 78** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: Fitzpatrick, Flynn, Manzella, Monforton, Moore, Staffanson, Tschida, Wittich.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
TWENTY-FIRST LEGISLATIVE DAY - JANUARY 30, 2015

**HB 145** - Representative Cuffe moved **HB 145** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.  
Total 92

Nays: Burnett, Fitzpatrick, Hayman, Peppers, Schreiner, Tropila, Webber, Zolnikov.  
Total 8

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 165** - Representative Regier moved **HB 165** do pass. Motion carried as follows:

Yeas: J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Ehli, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, White, Williams, Wilson, Wittich, Zolnikov, Mr. Speaker.  
Total 84

Nays: Ballance, B. Bennett, Burnett, Clark, Eck, Ellis, Fitzpatrick, Karjala, McCarthy, Miller, Noonan, Pease-Lopez, Schreiner, Webber, Welborn, Woods.  
Total 16

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0



HOUSE JOURNAL  
TWENTY-FIRST LEGISLATIVE DAY - JANUARY 30, 2015

**HB 173** - Representative D. Moore moved **HB 173** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Shaw, Staffanson, Wagoner, Welborn, White, Wittich, Mr. Speaker.

Total 52

Nays: B. Bennett, Berry, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Harris, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Schreiner, Schwaderer, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Williams, Wilson, Woods, Zolnikov.

Total 48

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 187** - Representative Steenberg moved **HB 187** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: J. Bennett, Doane, Hess, McKamey, Monforton, Mortensen, Wittich.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
TWENTY-FIRST LEGISLATIVE DAY - JANUARY 30, 2015

**HB 193** - Representative Salomon moved **HB 193** do pass. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 84

Nays: Ballance, Brodehl, B. Brown, Burnett, Fitzpatrick, Glimm, Hess, Lamm, Manzella, Monforton, Olszewski, Staffanson, Tschida, Wagoner, White, Wittich.

Total 16

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 197** - Representative Regier moved **HB 197** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Tropila.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
TWENTY-FIRST LEGISLATIVE DAY - JANUARY 30, 2015

**HB 207** - Representative Zolnikov moved **HB 207** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Peppers, Perry, Person, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Smith, Staffanson, Steenberg, Tropila, Tschida, Wagoner, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 90

Nays: Lavin, McKamey, Moore, Pease-Lopez, Pierson, Salomon, Schreiner, Shaw, Swanson, Webber.

Total 10

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 240** - Representative Berry moved **HB 240** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: B. Brown, Dunwell, Monforton, Olsen, Staffanson, Wittich.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
TWENTY-FIRST LEGISLATIVE DAY - JANUARY 30, 2015

Majority Leader Regier moved the committee rise and report. Motion Carried. Committee arose. House resumed. Mr. Speaker presiding. Chair MacDonald moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Hollandsworth.

Total 1

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 43** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, B. Brown, Z. Brown, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 88

HOUSE JOURNAL  
TWENTY-FIRST LEGISLATIVE DAY - JANUARY 30, 2015

Nays: Berry, Brodehl, Burnett, Cuffe, Fitzpatrick, Flynn, Glimm, Lavin, Redfield, Salomon, Staffanson, Tschida.

Total 12

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 54** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 95

Nays: Doane, Lamm, Manzella, Tschida, Zolnikov.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 126** passed as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Funk, Garner, Greef, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Moore, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 58

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Doane, Fiscus, Fitzpatrick, Flynn, Glimm, Hagstrom, Hertz, Hess, Jones, Lamm, Lang,

HOUSE JOURNAL  
TWENTY-FIRST LEGISLATIVE DAY - JANUARY 30, 2015

Laszloffy, Lavin, Mandeville, Manzella, Meyers, Miller, Monforton, Mortensen, Osmundson, Pinocci, Randall, Redfield, Regier, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 42

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 129** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 133** passed as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Funk, Hagstrom, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 60

HOUSE JOURNAL  
TWENTY-FIRST LEGISLATIVE DAY - JANUARY 30, 2015

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Doane, Ehli, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Randall, Redfield, Regier, Ricci, Richmond, Staffanson, Tschida, Wagoner, Welborn, White, Zolnikov.

Total 40

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 211** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 97

Nays: Hagstrom, Wittich, Zolnikov.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 222** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Peppers, Perry, Pierson, Pinocci, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner,

HOUSE JOURNAL  
TWENTY-FIRST LEGISLATIVE DAY - JANUARY 30, 2015

Schwaderer, Shaw, Smith, Staffanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 73

Nays: B. Bennett, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Karjala, Kelker, Kipp III, Lieser, MacDonald, McCarthy, McConnell, Olsen, Pease-Lopez, Person, Pope, Steenberg, Swanson, Williams, Wilson, Woods.

Total 27

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**MOTIONS**

Majority Leader Regier moved **HB 28** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Regier moved **HB 145** be moved from the Committee of the Whole to the Appropriations committee.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 8:00 a.m., Saturday, January 31, 2015. Motion carried.

House adjourned at 2:40 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House



**HOUSE JOURNAL  
64TH LEGISLATURE  
TWENTY-SECOND LEGISLATIVE DAY**

Helena, Montana  
January 31, 2015

House Chambers  
State Capitol

House convened at 8:00 a.m. Mr. Speaker presiding. Invocation by Representative Glimm. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives D. Jones, Kipp, and Salomon, excused. Quorum present.

**BILLS** (Welborn, Chair):

1/31/2015

Correctly printed: **HB 232, SB 11, SB 15.**

Correctly engrossed: **HB 118, HB 186, HB 200, HB 208, HB 250, HB 256.**

Transmitted to the Senate: **HB 43, HB 54, HB 126, HB 129, HB 133, HB 211, HB 222.**

**REPORTS OF STANDING COMMITTEES**

**BUSINESS AND LABOR** (Berry, Chair):

1/30/2013

**HB 118**, introduced bill, be amended as follows:

1. Page 1, line 23.

**Following:** "policyholder,"

**Insert:** "certificate holder,"

2. Page 1, line 28.

**Following:** "electronic means"

**Insert:** ", with the exception of the initial paper copy of the policy as provided in subsection (2)"

3. Page 1.

**Following:** line 28

**Insert:** "(2) At the time insurance coverage is first issued, the insurer providing coverage shall mail a paper copy of the insurance policy to the party obtaining coverage. Subsequent to the first paper copy, all other notices described in subsection (1) may be delivered electronically if the insurer has met the conditions in [section 3]."

**Renumber:** subsequent subsections

4. Page 2, line 17.

**Following:** "before"

**Insert:** "or at the time of"

5. Page 2, line 28.

**Following:** "before"

**Insert:** "or at the time of"

HOUSE JOURNAL  
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2015

6. Page 3, line 18.

**Following:** "withdrawal"

**Insert:** "pursuant to the insurer's noticed procedures"

7. Page 3, line 19.

**Following:** "(b)"

**Strike:** "A"

**Insert:** "Except as provided in [section 3(2)] or if a party updates contact information pursuant to the insurer's noticed procedures, a"

**Following:** "immediately"

**Strike:** "if the insurer learns"

**Insert:** "upon the insurer learning that"

8. Page 3, line 22.

**Following:** "consent"

**Insert:** ", but the party shall communicate the withdrawal pursuant to the insurer's noticed procedures"

9. Page 4, line 1.

**Following:** "delivering"

**Insert:** "the initial copy of a policy or "

And, as amended, do pass. Report adopted.

**FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS** (Lang, Chair): 1/30/2015  
**SB 11**, be concurred in. Report adopted.

**HUMAN SERVICES** (Wittich, Chair): 1/30/2015  
**HB 200**, introduced bill, be amended as follows:

1. Page 3, line 23.

**Following:** "Schedules"

**Strike:** "I"

**Insert:** "I"

And, as amended, do pass. Report adopted.

**HB 256**, introduced bill, be amended as follows:

1. Page 1, line 9 through line 26.

**Strike:** line 9 through line 26 in their entirety

And, as amended, do pass. Report adopted.

HOUSE JOURNAL  
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2015

**JUDICIARY** (Bennett, Chair):

1/30/2015

**HB 186**, do pass. Report adopted.

**HB 208**, introduced bill, be amended as follows:

1. Page 1, line 25.

**Following:** "any"

**Insert:** "Montana"

And, as amended, do pass. Report adopted.

**HB 232**, do pass. Report adopted.

**HB 250**, introduced bill, be amended as follows:

1. Page 1, line 19.

**Following:** "mechanism"

**Insert:** "registered with the bureau of alcohol, tobacco, firearms and explosives"

And, as amended, do pass. Report adopted.

**SB 15**, be concurred in. Report adopted.

**MESSAGES FROM THE SENATE**

**Senate bills** passed and transmitted to the House for concurrence:

1/29/2015

**SB 49**, introduced by Keane

**SB 56**, introduced by Hamlett

**Senate joint resolution** passed and transmitted to the House for concurrence:

1/29/2015

**SJR 5**, introduced by Vincent

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 370**, introduced by D. Moore, C. Clark, V. Court, J. Eck, T. Facey, E. Greef, D. Hagstrom, D. Kary, C. Kaufmann, M. MacDonald, C. Pease-Lopez, M. Rosendale, N. Schwaderer, S. Stewart-Peregoy, M. Tropila, D. Zolnikov, referred to Judiciary.

**HB 371**, introduced by K. White, A. Doane, C. Glimm, B. Harris, G. Hertz, A. Olszewski, A. Redfield, N. Schwaderer, S. Staffanson, referred to Judiciary.

**HB 372**, introduced by F. Garner, referred to State Administration.

**HB 373**, introduced by S. Staffanson, C. Clark, A. Doane, A. Knudsen, W. McKamey, D. Mortensen, K. Regier, referred to Education.

HOUSE JOURNAL  
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2015

The following Senate bills were introduced, read first time, and referred to committees:

**SB 49**, introduced by J. Keane (by request of the Department of Environmental Quality), referred to Natural Resources.

**SB 56**, introduced by B. Hamlett, referred to Natural Resources.

The following Senate joint resolution was introduced, read first time, and referred to committee:

**SJR 5**, introduced by C. Vincent (by request of the Water Policy Committee), referred to Natural Resources.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion Carried. Representative Tschida in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 158** - Representative MacDonald moved **HB 158** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: J. Bennett, Brodehl, Cuffe, Hess, Moore, Schwaderer.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2015

**HB 202** - Representative B. Bennett moved **HB 202** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berry, Z. Brown, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Mortensen, Noland, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Regier, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, White, Williams, Wilson, Woods.

Total 73

Nays: J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Clark, Doane, Essmann, Flynn, Hagstrom, Holmlund, Lang, Manzella, Miller, Moore, Olszewski, Osmundson, Pinocci, Randall, Redfield, Ricci, Staffanson, Wagoner, Welborn, Wittich, Zolnikov, Mr. Speaker.

Total 27

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 241** - Representative Berry moved **HB 241** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2015

**HB 246** - Representative Perry moved **HB 246** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 91

Nays: J. Bennett, B. Brown, Doane, Manzella, Mortensen, Redfield, Ricci, Staffanson, Wagoner.  
Total 9

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 248** - Representative Holmlund moved **HB 248** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 90

Nays: B. Brown, Cook, Flynn, Glimm, Hess, Manzella, Olszewski, Wagoner, Wittich, Zolnikov.  
Total 10

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2015

**HB 303** - Representative Curdy moved **HB 303** do pass. Motion **failed** as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hertz, Hill, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Laszloffy, Lieser, MacDonald, McCarthy, McConnell, McKamey, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Schwaderer, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Mr. Speaker.

Total 50

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hess, Hollandsworth, Holmlund, Lamm, Lang, Lavin, Lynch, Mandeville, Manzella, McClafferty, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov.

Total 50

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 18** - Representative Williams moved **SB 18** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: B. Brown, Schwaderer, Wittich.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2015

**SB 33** - Representative Hertz moved **SB 33** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 99

Nays: Glimm.  
Total 1

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Majority Leader Regier moved the committee rise and report. Motion Carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Tschida moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 96

Nays: Mehlhoff.  
Total 1

Excused: Jones, Kipp III, Salomon.  
Total 3



HOUSE JOURNAL  
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2015

Absent or not voting: None.

Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 29** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 86

Nays: J. Bennett, Brodehl, B. Brown, Cook, Doane, Lamm, Manzella, Monforton, Mortensen, White, Wittich.

Total 11

Excused: Jones, Kipp III, Salomon.

Total 3

Absent or not voting: None.

Total 0

**HB 78** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 86

HOUSE JOURNAL  
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2015

Nays: B. Brown, Fitzpatrick, Flynn, Hertz, Manzella, Monforton, Moore, Pinocci, Staffanson, Tschida, Wittich.

Total 11

Excused: Jones, Kipp III, Salomon.

Total 3

Absent or not voting: None.

Total 0

**HB 165** passed as follows:

Yeas: J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McClafferty, McConnell, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, White, Williams, Wittich, Zolnikov, Mr. Speaker.

Total 83

Nays: Ballance, B. Bennett, Eck, Fitzpatrick, Karjala, McCarthy, McKamey, Miller, Noonan, Schreiner, Webber, Welborn, Wilson, Woods.

Total 14

Excused: Jones, Kipp III, Salomon.

Total 3

Absent or not voting: None.

Total 0

**HB 187** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 87

HOUSE JOURNAL  
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2015

Nays: J. Bennett, Doane, Flynn, Hess, Manzella, McKamey, Monforton, Mortensen, Staffanson, Wittich.

Total 10

Excused: Jones, Kipp III, Salomon.

Total 3

Absent or not voting: None.

Total 0

**HB 193** passed as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Greef, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 77

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Fitzpatrick, Glimm, Hagstrom, Hess, Lamm, Manzella, McKamey, Monforton, Olszewski, Pinocci, Staffanson, Tschida, Wagoner, White, Wittich.

Total 20

Excused: Jones, Kipp III, Salomon.

Total 3

Absent or not voting: None.

Total 0

**HB 197** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Schreiner, Schwaderer, Shaw, Smith, Staffanson,

HOUSE JOURNAL  
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2015

Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Wilson, Wittich, Zolnikov, Mr. Speaker.  
Total 94

Nays: Tropila, Williams, Woods.  
Total 3

Excused: Jones, Kipp III, Salomon.  
Total 3

Absent or not voting: None.  
Total 0

**HB 207** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Lamm, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Smith, Staffanson, Steenberg, Tropila, Tschida, Wagoner, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 90

Nays: Lavin, Moore, Pierson, Schreiner, Shaw, Swanson, Webber.  
Total 7

Excused: Jones, Kipp III, Salomon.  
Total 3

Absent or not voting: None.  
Total 0

**HB 240** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci,

HOUSE JOURNAL  
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 31, 2015

Richmond, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 91

Nays: B. Brown, Dunwell, Monforton, Olsen, Staffanson, Wittich.  
Total 6

Excused: Jones, Kipp III, Salomon.  
Total 3

Absent or not voting: None.  
Total 0

**MOTIONS**

Majority Leader Regier moved **HB 202** be moved from the Committee of the Whole to the Appropriations committee.

Representative Cuffe rose on a **Point of Personal Privilege** he announced that during the previous day's Second Reading, he had violated the decorum of the House and wanted to apologize to leadership. He emphasized that he understands the importance of decorum and he would be more diligent in the future.

**SPECIAL ORDERS OF THE DAY**

Representative Price thanked the pages for their service

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Monday, February 2, 2015. Motion carried.

House adjourned at 8:50 a.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
TWENTY-THIRD LEGISLATIVE DAY**

Helena, Montana  
February 2, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Lieser. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Meyers, excused. Quorum present.

**MOTIONS**

Majority Leader Regier moved the House recess for the purpose of receiving the State of Education Address by the Superintendent of Public Instruction, Denise Juneau. Upon Adjournment of the Joint Session, the House will reconvene. Motion carried.

House in Recess.

Sergeant-at-Arms Lenz notified Speaker Knudsen that the Honorable Senate of the State of Montana was awaiting entrance to the Chamber.

Speaker Knudsen requested Sergeant-at-Arms Lenz admit the Honorable Senate into the House Chamber.

Speaker Knudsen introduced Senate President Barrett.

Senate Majority Leader Rosendale moved that the body resolve itself into a Joint Session for the purpose of receiving the State of Education Address by the Superintendent of Public Instruction, Denise Juneau. Motion carried.

Senate Majority Leader Rosendale moved that President Barrett be authorized to appoint a committee of four to notify Superintendent of Public Instruction, Denise Juneau, that the body was in joint session and ready to receive her address. Motion carried.

President Barrett appointed Senator Arntzen, Senator Facey, Representative Lamm, and Representative Wilson to escort Superintendent Juneau into the House Chamber.

President Barrett recognized Representative Hollandsworth.

Representative Hollandsworth announced that in honor of the Montana Historical Society's 150th anniversary, the Joint Session would be traveling back in time to the mining camp at Bannack City in the year 1865, near the end of the first session of the Territorial Legislature, to receive an address by Governor Sidney Edgerton, as portrayed by Jeff Malcomson.

HOUSE JOURNAL  
TWENTY-THIRD LEGISLATIVE DAY - FEBRUARY 2, 2015

Governor Sidney Edgerton addressed the body.

President Barrett thanked Governor Edgerton.

Sergeant-at-Arms Spencer announced that the Superintendent of Public Instruction, Denise Juneau, was awaiting entrance to the House.

The Committee escorted Superintendent Juneau into the Chamber.

President Barrett introduced Superintendent Juneau to the Joint Session.

Superintendent Juneau gave the following remarks:

Thank you President Barrett, Speaker Knudsen, Senators, Representatives and honored guests for this opportunity to provide the State of Education.

I asked President Barrett what she thought I should talk about today. She told me, just be yourself. You have such a warm personality. I thought, what a great compliment. Then, I looked up the word “warm” in the dictionary and it said “not so hot.” So, I’m not sure if that was a compliment or not.

Oki. Nik su kuwak(s). Nee da na koo, Denise Juneau. Senator Whitford took some time and taught me how to introduce myself in Blackfeet. I just greeted you as my relatives. And, Senator Whitford said that once I established that we’re all related, I can hit you up for cash.

While I am an enrolled member of the Mandan-Hidatsa Tribes of North Dakota, I introduced myself in Blackfeet today since I grew up on the Blackfeet Reservation, am a descendent of the Blackfeet tribe and a proud graduate of Browning High School.

I tell students all the time that my high school diploma was the most important piece of paper I ever earned. It opened doors and provided opportunities I would never have believed when I was younger. The education I received in Browning eventually led me to Montana State University, the Harvard Graduate School of Education, the University of Montana school of law, and a career that led to me becoming the first American Indian woman elected to statewide office in the country.

I was lucky to be raised by parents who placed a high value on public education. They are here today – Stan and Carol Juneau – and I would like to thank them for never lowering their expectations about the kind of world they want to live in and for instilling the values of justice and fairness in me and my brother. They are why I believe so much in public education and in helping others become educated.

My niece Sara and her two children, Alexander and Brynn, are also here today. As a first grader and a preschooler, they are a great reminder to me of the importance of early learning.

HOUSE JOURNAL  
TWENTY-THIRD LEGISLATIVE DAY - FEBRUARY 2, 2015

It's been really fun to learn from them as they grow. Everything is new and so much learning takes place, even with the smallest things. And they are the best at communicating their learning about new things. When Alexander encountered his first identical twins in Head Start, he came home very excited to let his mom know that he just met two boys who were "born with the same face."

Brynn is three and attends a child care center and she wants to do everything her older brother does. She is sure she's ready for school. On a recent visit, Brynn was trying to learn the words to the song, "We Will Rock You". She listened to that song 100 times on the iPad. And so, everyone in the house had the privilege of listening to the song 100 times as she tried to decipher the lyrics. And, if you ever meet Brynn, you will soon find out that "she will, she will rock you".

While I think that Alexander and Brynn are the smartest kids ever, I know that all young children have that thirst for knowledge, that sense of wonder about the world we live in. It's the job of educators to help nourish that quality, or in some cases -- help restore it.

High quality preschool can help close the achievement and opportunity gaps and ensure students enter kindergarten ready to learn with the foundation they need to succeed in school. That's why I stand with Governor Bullock in his efforts to provide a high quality education for Montana's youngest learners. It's time for us to provide our earliest learners with an Early Edge.

On the other end of the K-12 spectrum, we have done a lot of work to help students transition to college and careers. A strong partnership between my office and the Office of the Commissioner of Higher Education has led to significant advances in increasing access to post-secondary education. We offer the ACT to every junior at no cost to their families, we have doubled the number of students taking dual enrollment courses, we have reduced college remediation rates and, during the second year of College Application Week, more than 3,000 seniors submitted applications to a Montana college for a waived or deferred fee. Thank you for your strong partnership, Commissioner Christian.

Last session, the legislature supported my request for \$1 million to increase career and technical education student organization membership. And, that funding has paid off – Montana FFA achieved the greatest percentage of membership growth in the country and Technical Students of America nearly tripled the size of their membership.

We have student representatives and their advisors from Business Professionals of America, Family, Career and Community Leaders of America, FFA, Future Health Professionals, Technology Student Association and Skills USA in the balcony today. Over the past 18 months, these student groups have dedicated more than 30,000 hours to community service and workforce skill development. Please stand and let us thank you for your leadership in your schools and respective student organizations.



HOUSE JOURNAL  
TWENTY-THIRD LEGISLATIVE DAY - FEBRUARY 2, 2015

When students take 3 or more CTE courses in high school, they graduate at a rate of 97%. That's why Career and Technical Education is an important part of Graduation Matters Montana.

I'm sure all of you are aware of the good work happening in the forty-eight Graduation Matters communities across the state. Communities as diverse as Laurel, Eureka, Miles City, Glasgow, Wolf Point, and Hamilton are pulling together their schools, parents, students and businesses to find ways to collaborate and keep more students in school. My office has raised over \$1.2 million in private funds to support these local efforts. The focus on dropout prevention in Graduation Matters communities is working. From 2009-2014, Montana's graduation rate has increased from 80.7 percent to 85.4 percent, and the dropout rate has decreased from 5 percent to 3.7 percent. This represents an all-time high in Montana's graduation rate and means that 733 fewer students dropped out in 2014 than in 2009. Those numbers are a tribute to the hard work going on in local communities.

I have introduced two bills directly tied to Graduation Matters – Senate bills 12 and 14. Two avenues for the legislature to partner with schools and parents to keep more students in school so they graduate and have a chance of success in our global economy.

Senate Bill 12, carried by Senator Moe, would provide funding to schools that do the right thing and educate a student who might need an additional semester or year to earn the credits for graduation. Montana is currently the only state in the nation that cuts off school funding when a student turns nineteen.

During the hearing in the Senate Education Committee, a young man named Will from Great Falls explained that when his father was laid off, he became the bread winner for his family for a period of time, working 12 hour shifts from 4:30 pm to 4:30 am. Will couldn't keep up with school and his efforts to make money to support his little brother and sister, and he ended up leaving school. But Will and his family got help from others and he found his way back. And even though he was 19 years old, the alternative public school in Great Falls, Paris Gibson, brought him back, and he is now going to earn his high school diploma. This young man deserved an opportunity to finish high school. And there are kids all over Montana with stories like Will--kids who become the main wage earner for their families, kids who lose a parent or guardian and their life goes off track. They deserve a second chance. They shouldn't be stopped from receiving their education because "the clock ran out on them" when they turned 19. You can help schools and students all across the state by passing Senate Bill 12.

Senate Bill 14, carried by Senator Driscoll, will raise the legal dropout age to 18 or upon graduation. It sets an expectation, that in today's economic climate, it's imperative that a student have a diploma or certificate as they enter adulthood. Knowing the long term economic and social benefits to individuals graduating from high school, as policymakers and leaders in this state, we must share the accountability in addressing the dropout rate and set a clear expectation for our young people that they will graduate from high school.

HOUSE JOURNAL  
TWENTY-THIRD LEGISLATIVE DAY - FEBRUARY 2, 2015

Students who are 16 or 17 years old accounted for 65 percent of all dropouts in 2014. We expect passage of this bill would keep about 190 students from dropping out of school in the first year. That is a significant number. Raising the legal dropout age will make a difference.

The last time we raised our expectations of students in this area was 1921 – 94 years ago – when we asked that they stay in school until they turned 16 or complete 8<sup>th</sup> grade. Our 21<sup>st</sup> Century realities cannot be sustained by our 100 year old policies. We must set our expectations higher than 8<sup>th</sup> grade graduation. We must expect more from our schools and our students. This is an idea whose time has come.

If legislators can come together to protect teens from the negative health risks associated with tanning beds, surely we can work together to support parents and schools in their efforts to keep students from dropping out of school. It is, as the Billings Gazette called it - a “no-brainer.”

Graduation Matters Montana is not just about graduating students from high school. It’s also about making sure they are prepared for their next steps. Thanks to the leadership of the Board of Public Education, we have raised our standards in English and math. Today, I walk into classrooms and watch young learners work through math problems and think of themselves as mathematicians. I watch young people discuss major issues of our time using evidence from primary sources to back up their arguments.

Teachers have told me they are amazed at the changes they have seen in their classrooms since they started implementing the standards. Our students are rising to meet the challenge of higher standards, and we shouldn’t go backwards. These standards will help us continue to keep Montana kids among the best in the nation.

The chairperson of the Board is Sharon Carroll, a math teacher from Ekalaka. For the last three years, her school had a graduation rate of 100%. I visited them last year to congratulate them on their excellent track record. Those numbers show the strength of our rural schools in this state. Or maybe it just shows the strength of good math teachers like Mrs. Carroll.

The board has been courageous and visionary in its efforts to move Montana’s public education system forward, and I thank them. These board members are super dedicated to their mission of creating a high quality education system. During the last meeting, board member Lila Taylor from Broadus called in from a stockyard. That’s some dedication. Board Chair Carroll and Paul Anderson, 2013 teacher of the year, are here representing the board today. Will you please stand so we can all thank you?

You need to know that where we have challenges in the public education system, we confront them – head-on. Graduation Matters Montana. Higher standards. Early Edge.

One of the more demanding initiatives I have taken on is improving student outcomes in schools and communities that are facing significant challenges. I want every child, wherever they live, and regardless of their economic circumstances, to graduate from high school with the knowledge

HOUSE JOURNAL  
TWENTY-THIRD LEGISLATIVE DAY - FEBRUARY 2, 2015

and skills they need to be successful in the next phase of their life. Under my Schools of Promise initiative, we have been working to transform several of the lowest performing school systems in the state. These schools are located in communities that experience poverty that is generational and persistent.

This is a partnership between schools, communities and the OPI to provide comprehensive professional development for all school staff, provide mental health wrap-around services for students who need additional support and build connections between parents, the community and the schools. I appreciate the collaborative work the staff in these schools are doing. Although there are many challenging conditions, there are also strong family ties, deep connections to a rich culture and significant history in these communities. And, there is much hope to build upon.

We put students at the center of our schools of promise work and help them raise their voices. Brandon Bradley, a student from Hays Lodge-Pole high school, is here today. When his grandmother passed away, he moved to Hays with his grandpa and brother to attend school. His grandfather recently passed away and Brandon was left with the responsibility of raising his younger brother, working at the local store and attending school. In addition to all of that, he is a member of our school improvement work group and makes sure student voices are included in the discussions about how their school works.

Brandon has been empowered to have a voice in his education and is making sure his peers are invited to the table as well. They have set student rules for getting along in school, decided the future direction of student engagement and are in the process of getting t-shirt making equipment so they can learn about business and entrepreneurship. Brandon has approached the Fort Belknap Tribal Council to gain the exclusive contract for all their t-shirt making needs. He is a great representative of our student groups in our schools of promise where they are becoming leaders in both their school and community. Thank you, Brandon, for your tremendous leadership at Hays Lodge Pole. With students like you leading the way, our future in Indian Country is bright.

Our schools of promise are full of stories like Brandon's. We work with the adults AND the students in these schools. It is probably the most important work that we do. The staff on the ground in these schools and communities are truly affecting young lives, for the better. That's why Representative Pease-Lopez is carrying House Bill 314 that would allow us to expand this work in four new communities, including mental health wrap around services for the most vulnerable students. We have a model that has gained national recognition, and we would like to continue this most important work that provides empowerment through education. I know that all of us agree about the importance of education. How we deliver education is sometimes where we differ. I am proud to be the top advocate for public education. Public education means so much to all of us. It is still the great equalizer. It is the last great public endeavor we have in America that is open to all, to every citizen. Public education proves that America is still the land of opportunity. And, in our state, public education is doing a great job. Our public schools educate 92% of Montana students. Over the past ten years, Montana citizens have made significant investments in public schools and in our students.

HOUSE JOURNAL  
TWENTY-THIRD LEGISLATIVE DAY - FEBRUARY 2, 2015

Thank you, House of Representatives, for passing House Bill 27 so early in the session. Representative Hayman's bill provides the statutory increases for school funding. Passing this bill so early in the session will allow school districts to begin planning their budgets knowing that the funding is securely in place. I urge the Senate to also move it quickly and put it on the Governor's desk.

Unfortunately, efforts are underway again to pass legislation that would drain resources away from our community schools. We cannot afford to backtrack on the constitutional promise of a free, quality public education for Montana children. Public schools are open to all children. There are no lotteries to get in. They are accountable to the public and transparent about every dollar that is spent. They are the heart – and the economic engines - of our communities. They are our schools.

We must continue to set a high bar for student achievement, promote innovative practices, help students explore careers and post-secondary opportunities, and support our teachers and school leaders in their efforts to help every child reach their full educational potential.

One of the best parts of my job is seeing great teaching in action in Montana classrooms. There is nothing better than watching someone who truly excels at the craft of teaching. You can feel the energy in the classroom and see the students respond with excitement. I'm sure each of you can recall a teacher who made a special impact on your life, who ignited a spark in you, made you believe in yourself and pushed you to achieve something you didn't think you could. Those of you who have children likely have gratitude for the educators who are helping to inspire your kids to try something new and to believe in themselves.

One of the ways we have to honor the teaching profession is through the Teacher of the Year program. And I am honored to have Montana's 2015 Teacher of the Year, Craig Beals, a chemistry and earth science teacher from Billings Senior High School, in the audience.

Craig has done high-level scientific research all over the world, from Belize, Mongolia, Greenland, Borneo, and Africa to Montana. He inspired his students to design and build the largest cardboard geodesic dome planetarium in the world. [try saying that fast 3 times]. His students have used their science skills to help improve their local parks, recommended new zoning, and contributed valuable water quality data to a national database for scientific research. And most importantly, he is known for developing strong relationships with the students in his classroom and having high expectations for them.

Craig had this to say about his nomination for Teacher of the Year: "I teach because I love it. I work hard because that's what I was taught to do. I create because I can't help it. Never have I done any of these things for an award; I do them because I don't know any other way." He is using his year as the Montana Teacher of the Year to celebrate all the amazing things that teachers in this state are doing for young people. He has created a scroll, as well as a twitter and Facebook account, for people to declare their support for teachers and to thank them for what they do every day. He knows that when teachers are shown a bit of appreciation, it goes a long way. I'm sure he would love to gain another 150 signatures on his scroll today.

HOUSE JOURNAL  
TWENTY-THIRD LEGISLATIVE DAY - FEBRUARY 2, 2015

Similar to the students in Craig's classes, I know the value of a Montana public education because it's a gift I was given. It is part of who I am, and part of what drove me to become an educator. And I know what we have to lose if we don't preserve and strengthen public education for generations to come. We must continue to work for excellence and equality in our education system.

We have a lot to be proud of and to celebrate. We have great teachers, great students and great public schools. And, I am so fortunate to be able to visit our future leaders in schools all across Montana. Every time I meet with my student advisory board, visit a classroom of middle schoolers, read to first-graders, eat school lunch with fifth graders, see great classroom teaching, or attend a Graduation Matters event with students, parents and businesses, I know that our schools, our communities and our future are in good hands.

My work as State Superintendent helps me remain optimistic about our future. Our hope lies with the next generation – it always has. And, that's what I get to do every day – support the next generation in reaching their hopes and dreams. We must ALL do our part to support them. When we ensure that each student is provided with an opportunity to receive a quality public education – THAT is how we make the future better.

Thank you all for your service to the State of Montana, its citizens and its students. I look forward to working with you to pass good legislation that will make our public education system even better.

President Barrett thanked Superintendent Juneau and directed the committee of four to escort the Superintendent from the Joint Session.

Senate Majority Leader Rosendale moved that the Joint Session of the 64th Legislature be adjourned. Motion carried.

The House reconvened.

**BILLS** (Welborn, Chair):

2/2/2015

Transmitted to the Senate: **HB 29, HB 78, HB 165, HB 187, HB 193, HB 197, HB 207, HB 240.**

**LEGISLATIVE ADMINISTRATION** (Welborn, Chair):

2/2/2015

MR. SPEAKER:

We, your committee on Legislative Administration recommend that employment of the following pages of the House be ceased as of 10:00 a.m., Saturday, January 31, 2015:

Luke Nicholson, Missoula  
Mathias Pepos, Great Falls  
Dylan Cooper, Polson  
Frank Hendrickson, Butte  
Morgon Moll, Polson

HOUSE JOURNAL  
TWENTY-THIRD LEGISLATIVE DAY - FEBRUARY 2, 2015

Layne Ryerson, Helena  
Quentin LeLacheur, Townsend

and recommend that the following pages of the House be employed as of 1:00 p.m., Monday, February 2, 2015:

Bailey Durnell, Great Falls  
Timothy Haymond, Columbia Falls  
Tyler Reilly, Butte  
MacKenzie Dexter, Helena  
Dominique Nault, Havre  
Jonathon Four Colors, Box Elder  
Alex Winchell, Huntley Project

Report Adopted.

**MESSAGES FROM THE SENATE**

**Senate bills** passed and transmitted to the House for concurrence: 1/30/2015

**SB 72**, introduced by T. Brown  
**SB 94**, introduced by Buttrey  
**SB 105**, introduced by Arntzen  
**SB 124**, introduced by D. Brown  
**SB 131**, introduced by Kary

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 374**, introduced by E. McClafferty, B. Bennett, Z. Brown, V. Court, W. Curdy, K. Dudik, M. Dunwell, J. Eck, J. Ellis, M. Funk, D. Hayman, C. Hunter, T. Jacobson, J. Karjala, K. Kelker, G. Kipp, E. Lieser, R. Lynch, M. MacDonald, K. McCarthy, N. McConnell, P. Noonan, A. Olsen, C. Pease-Lopez, R. Peppers, Z. Perry, G. Pierson, C. Pope, J. Price, A. Redfield, V. Ricci, D. Salomon, C. Schreiner, B. Smith, T. Steenberg, K. Swanson, S. Webber, N. Wilson, T. Woods, referred to Education.

**HB 375**, introduced by S. Lavin, referred to Transportation.

**HB 376**, introduced by D. Lamm, N. Ballance, G. Bennett, S. Berglee, M. Blasdel, R. Brodehl, B. Brown, T. Burnett, A. Doane, J. Fielder, C. Glimm, D. Hagstrom, K. Hansen, B. Harris, G. Hertz, S. Hess, J. Hinkle, D. Howard, D. Kary, B. Keenan, A. Knudsen, S. Laszloffy, F. Mandeville, T. Manzella, W. McKamey, D. Mortensen, M. Noland, R. Osmundson, R. Pinocci, K. Regier, V. Ricci, M. Rosendale, N. Schwaderer, C. Smith, S. Staffanson, N. Swandal, G. Vance, R. Webb, K. White, J. Windy Boy, D. Zolnikov, referred to Education.

HOUSE JOURNAL  
TWENTY-THIRD LEGISLATIVE DAY - FEBRUARY 2, 2015

**HB 377**, introduced by D. Lamm, N. Ballance, G. Bennett, S. Berglee, M. Blasdel, R. Brodehl, B. Brown, T. Burnett, A. Doane, J. Fielder, C. Glimm, D. Hagstrom, K. Hansen, B. Harris, G. Hertz, S. Hess, J. Hinkle, D. Howard, D. Kary, A. Knudsen, S. Laszloffy, S. Lavin, F. Mandeville, T. Manzella, W. McKamey, M. Monforton, D. Mortensen, M. Noland, R. Osmundson, R. Pinocci, A. Redfield, K. Regier, V. Ricci, M. Rosendale, N. Schwaderer, C. Smith, S. Staffanson, N. Swandal, G. Vance, R. Webb, K. White, J. Windy Boy, D. Zolnikov, referred to Education.

**HB 378**, introduced by T. Richmond, D. Kary, J. Windy Boy, referred to Agriculture.

**HB 379**, introduced by G. Hertz, referred to Taxation.

**HB 380**, introduced by M. Miller, referred to Local Government.

The following Senate bills were introduced, read first time, and referred to committees:

**SB 72**, introduced by T. Brown (by request of the Commissioner of Political Practices), referred to State Administration.

**SB 94**, introduced by E. Buttrey (by request of the Department of Administration), referred to State Administration.

**SB 105**, introduced by E. Arntzen (by request of the Department of Labor and Industry), referred to Business and Labor.

**SB 124**, introduced by D. Brown, D. Ankney, Debby Barrett, M. Blasdel, J. Brenden, B. Hamlett, L. Jones, J. Keane, B. Keenan, F. Moore, R. Ripley, M. Rosendale, S. Sales, C. Smith, J. Taylor, F. Thomas, B. Tutvedt, G. Vance, R. Webb, J. Windy Boy, E. Buttrey, P. Connell, R. Driscoll, J. Fielder, K. Hansen, J. Hinkle, B. Hoven, D. Kary, N. Swandal, and C. Vincent, referred to State Administration.

**SB 131**, introduced by D. Kary, S. Sales, N. Swandal, referred to Judiciary.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion Carried. Representative Mandeville in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 68** - Representative Kelker moved **HB 68** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price,

HOUSE JOURNAL  
TWENTY-THIRD LEGISLATIVE DAY - FEBRUARY 2, 2015

Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Doane, Staffanson.

Total 2

Excused: None.

Total 0

Absent or not voting: Mandeville.

Total 1

**HB 69** - Representative Custer moved **HB 69** do pass. Motion carried as follows:

Yeas: B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 78

Nays: Ballance, J. Bennett, Brodehl, Burnett, Cuffe, Doane, Flynn, Glimm, Hess, Jones, Lamm, Lavin, Manzella, McKamey, Miller, Osmundson, Redfield, Regier, Wagoner, White, Wittich, Zolnikov.

Total 22

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 198** - Representative Regier moved **HB 198** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland,



HOUSE JOURNAL  
TWENTY-THIRD LEGISLATIVE DAY - FEBRUARY 2, 2015

Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 201** - Representative Regier moved **HB 201** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 58

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 42

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 206** - Representative Lang moved **HB 206** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McConnell,

HOUSE JOURNAL  
TWENTY-THIRD LEGISLATIVE DAY - FEBRUARY 2, 2015

McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 96

Nays: Burnett, Essmann.  
Total 2

Excused: None.  
Total 0

Absent or not voting: McClafferty, Shaw.  
Total 2

**HB 209** - Representative Schreiner moved **HB 209** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berry, B. Brown, Z. Brown, Burnett, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 83

Nays: J. Bennett, Berglee, Brodehl, Cook, Cuffe, Doane, Glimm, Hess, Jones, Lamm, Monforton, Olszewski, Pinocci, Tschida, Wagoner, Welborn, Wittich.  
Total 17

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 212** - Representative Wagoner moved **HB 212** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McCarthy, McKamey, Meyers, Miller, Monforton, Moore, Mortensen,

HOUSE JOURNAL  
TWENTY-THIRD LEGISLATIVE DAY - FEBRUARY 2, 2015

Noland, Olszewski, Osmundson, Peppers, Perry, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 62

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 38

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 221** - Representative MacDonald moved **HB 221** do pass. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Woods, Mr. Speaker.

Total 91

Nays: Ballance, Burnett, Cook, Glimm, Hagstrom, Olszewski, Welborn, Wittich, Zolnikov.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 232** - Representative Dudik moved **HB 232** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang,

HOUSE JOURNAL  
TWENTY-THIRD LEGISLATIVE DAY - FEBRUARY 2, 2015

Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 90

Nays: Burnett, Cook, Flynn, Pinocci, Randall, Schwaderer, Staffanson, Tschida, Wittich, Zolnikov.  
Total 10

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HJR 5** - Representative Fiscus moved **HJR 5** be adopted. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 53

Nays: B. Bennett, Z. Brown, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 47

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Majority Leader Regier moved the committee rise and report. Motion Carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Mandeville moved the Committee of the Whole report be adopted. Report adopted as follows:

HOUSE JOURNAL  
TWENTY-THIRD LEGISLATIVE DAY - FEBRUARY 2, 2015

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Peppers, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Pease-Lopez, Perry.

Total 2

Excused: Meyers.

Total 1

Absent or not voting: None.

Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 158** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Brodehl, Schwaderer, Welborn, Wittich.

Total 4

Excused: Meyers.

Total 1

HOUSE JOURNAL  
TWENTY-THIRD LEGISLATIVE DAY - FEBRUARY 2, 2015

Absent or not voting: None.

Total 0

**HB 173 failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, McKamey, Monforton, Moore, Mortensen, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Staffanson, Wagoner, White, Mr. Speaker.

Total 45

Nays: B. Bennett, Berry, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, Hagstrom, Hayman, Hertz, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Noland, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 54

Excused: Meyers.

Total 1

Absent or not voting: None.

Total 0

**HB 241 passed** as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Manzella.

Total 1

Excused: Meyers.

Total 1

HOUSE JOURNAL  
TWENTY-THIRD LEGISLATIVE DAY - FEBRUARY 2, 2015

Absent or not voting: None.  
Total 0

**HB 246** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Monforton, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 92

Nays: B. Brown, Doane, Manzella, Mortensen, Redfield, Staffanson, Wagoner.  
Total 7

Excused: Meyers.  
Total 1

Absent or not voting: None.  
Total 0

**HB 248** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 88

Nays: B. Brown, Cook, Fitzpatrick, Flynn, Glimm, Manzella, McKamey, Wagoner, Welborn, Wittich, Zolnikov.  
Total 11

Excused: Meyers.  
Total 1

HOUSE JOURNAL  
TWENTY-THIRD LEGISLATIVE DAY - FEBRUARY 2, 2015

Absent or not voting: None.

Total 0

**SB 18** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall,

Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: B. Brown, Monforton, Schwaderer, Wittich.

Total 4

Excused: Meyers.

Total 1

Absent or not voting: None.

Total 0

**SB 33** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith,

Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Glimm.

Total 1



HOUSE JOURNAL  
TWENTY-THIRD LEGISLATIVE DAY - FEBRUARY 2, 2015

Excused: Meyers.  
Total 1

Absent or not voting: None.  
Total 0

**MOTIONS**

Majority Leader Regier moved **HB 201** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Regier moved **HB 308** be moved from the Appropriations committee to the Local Government committee.

Majority Leader Regier moved **HB 366** be moved from the State Administration committee to the Local Government committee.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Tuesday, February 3, 2015. Motion carried.

House adjourned at 3:00 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
TWENTY-FOURTH LEGISLATIVE DAY**

Helena, Montana  
February 3, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Pease-Lopez. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Karjala, excused. Quorum present.

Representative Williams rose on a **Point of Personal Privilege**. On the previous day during testimony on HB 201, she stated that the bill was identical to a bill brought forward during the last Legislative Session. She learned that this statement was not accurate and she apologized to the sponsor of the bill.

**BILLS** (Welborn, Chair):

2/3/2015

Correctly printed: **SB 10, SB 70, SB 71, SB 75, SB 98.**

Correctly engrossed: **HB 285, HB 299.**

Transmitted to the Senate: **HB 158, HB 241, HB 246, HB 248, SB 18, SB 33.**

**REPORTS OF STANDING COMMITTEES**

**BUSINESS AND LABOR** (Berry, Chair):

2/3/2015

**HB 285**, do pass. Report adopted.

**HB 299**, do pass. Report adopted.

**SB 70**, be concurred in. Report adopted.

**SB 71**, be concurred in. Report adopted.

**SB 75**, be concurred in. Report adopted.

**SB 98**, be concurred in. Report adopted.

**FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS** (Lang, Chair):

2/2/2015

**SB 10**, be concurred in. Report adopted.

**MESSAGES FROM THE SENATE**

**Senate bills** passed and transmitted to the House for concurrence:

1/31/2015

**SB 52**, introduced by Cohenour

**SB 152**, introduced by C. Smith

**SB 164**, introduced by Hoven

HOUSE JOURNAL  
TWENTY-FOURTH LEGISLATIVE DAY - FEBRUARY 3, 2015

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 381**, introduced by T. Burnett, N. Ballance, referred to State Administration.

**HB 382**, introduced by M. Dunwell, J. Cohenour, E. Hill, E. Lieser, E. McClafferty, D. Moore, R. Peppers, Z. Perry, J. Pomnichowski, J. Price, B. Smith, T. Steenberg, S. Webber, N. Wilson, referred to Human Services.

**HB 383**, introduced by M. Dunwell, E. Hill, E. Lieser, E. McClafferty, R. Peppers, Z. Perry, J. Price, B. Smith, T. Steenberg, S. Webber, N. Wilson, referred to Human Services.

**HB 384**, introduced by M. Dunwell, Dick Barrett, J. Cohenour, E. Hill, E. Lieser, S. Malek, E. McClafferty, R. Peppers, J. Price, B. Smith, S. Webber, N. Wilson, referred to Business and Labor.

**HB 385**, introduced by Z. Brown, referred to Local Government.

**HB 386**, introduced by Z. Brown, C. Pope, T. Richmond, K. Williams, referred to Natural Resources.

**HB 387**, introduced by N. McConnell, referred to Transportation.

**HB 388**, introduced by R. Pinocci, C. Fiscus, referred to Judiciary.

**HB 389**, introduced by J. Essmann, referred to Taxation.

**HB 390**, introduced by M. Lang, C. Clark, K. Flynn, R. Hollandsworth, G. Pierson, L. Randall, A. Redfield, S. Staffanson, K. White, B. Hamlett, F. Moore, R. Ripley, referred to Agriculture.

The following Senate bills were introduced, read first time, and referred to committees:

**SB 52**, introduced by J. Cohenour (by request of the State Auditor), referred to Business and Labor.

**SB 152**, introduced by C. Smith, referred to Business and Labor.

**SB 164**, introduced by B. Hoven, G. Vuckovich, referred to Fish, Wildlife and Parks.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion Carried. Representative Wagoner in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 85** - Representative Woods moved **HB 85** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers,

HOUSE JOURNAL  
TWENTY-FOURTH LEGISLATIVE DAY - FEBRUARY 3, 2015

Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 91

Nays: Berglee, Doane, Essmann, Glimm, Manzella, Monforton, Noland, Wagoner, White.  
Total 9

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 204** - Representative Hertz moved **HB 204** do pass.

**HB 204** - Representative McConnell moved **HB 204**, second reading copy, be amended as follows:

1. Page 1, lines 28 and 29.

**Strike:** "conduct" on line 28 through "risks that are" on line 29

**Following:** "inherent" on line 29

**Insert:** "risks"

2. Page 1, line 29 through page 2, line 2.

**Following:** "opportunity" on line 29

**Strike:** "; and" on line 29 through "omissions" on page 2, line 2

3. Page 2, lines 12 and 13.

**Strike:** "conduct" on line 12 through "risks that are" on line 13

**Following:** "inherent" on line 13

**Insert:** "risks"

4. Page 2, lines 14 and 15.

**Strike:** "'sport or recreational opportunity" has the meaning provided in 27-1-752."

**Insert:** "the following definitions apply:"

(a) "Inherent risks" has the meaning provided in 27-1-752.

(b) "Sport or recreational opportunity" has the meaning provided in 27-1-752.

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty,

HOUSE JOURNAL  
TWENTY-FOURTH LEGISLATIVE DAY - FEBRUARY 3, 2015

McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 40

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Perry, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 60

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 204** - Representative Person moved **HB 204**, second reading copy, be amended as follows:

1. Title, page 1, line 10.

**Following:** "OPPORTUNITIES;"

**Insert:** "ESTABLISHING CRITERIA FOR PROSPECTIVE LIABILITY WAIVERS OR RELEASES;"

2. Page 2, line 11.

**Following:** "(2)"

**Insert:** "(a)"

3. Page 2, line 13.

**Strike:** "risks that are"

**Following:** "inherent"

**Insert:** "risks"

**Following:** line 13

**Insert:** "(b) A liability waiver or release for participation in a sport or recreational opportunity must:

(i) state the known inherent risks of the sport or recreational opportunity;

(ii) include the following statement written by the person participating in the sport or recreational opportunity or by a parent if the person is a minor: "By signing this document, I understand that I am waiving my legal right to a jury trial to hold the recreational provider legally responsible for any injuries I may suffer due to the recreational provider's failure to act as a reasonable recreational provider would act in similar circumstances"; and

(iii) notify the participant whether the recreational provider offers the sport or recreational opportunity at a greater cost for a participant who does not agree to sign a liability waiver."

HOUSE JOURNAL  
TWENTY-FOURTH LEGISLATIVE DAY - FEBRUARY 3, 2015

4. Page 2, lines 14 and 15.

**Strike:** ""sport or recreational opportunity" has the meaning provided in 27-1-752."

**Insert:** "the following definitions apply:

(a) "Inherent risks" has the meaning provided in 27-1-752.

(b) "Sport or recreational opportunity" has the meaning provided in 27-1-752."

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Cook, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Zolnikov.

Total 43

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Mr. Speaker.

Total 57

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 204** - Representative Hertz moved **HB 204** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Perry, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Tschida, Wagoner, Welborn, White, Williams, Woods, Zolnikov, Mr. Speaker.

Total 68

Nays: B. Bennett, Z. Brown, Dudik, Dunwell, Eck, Ellis, Hayman, Hill, Hunter, Karjala, Kelker, Kipp III, Lieser, MacDonald, McCarthy, McClafferty, McConnell, Olsen, Pease-Lopez, Peppers, Person, Pierson, Pinocci, Pope, Price, Schreiner, Steenberg, Swanson, Tropila, Webber, Wilson, Wittich.

Total 32

HOUSE JOURNAL  
TWENTY-FOURTH LEGISLATIVE DAY - FEBRUARY 3, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 118** - Representative B. Bennett moved **HB 118** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: J. Bennett, Brodehl, B. Brown, Doane, White, Wittich.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 162** - Representative Schwaderer moved **HB 162** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Kipp III, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 53

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 47

HOUSE JOURNAL  
TWENTY-FOURTH LEGISLATIVE DAY - FEBRUARY 3, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 186** - Representative Pease-Lopez moved **HB 186** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Moore.

Total 1

**HB 208** - Representative D. Moore moved **HB 208** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Eck, Hill, Olsen.

Total 3



HOUSE JOURNAL  
TWENTY-FOURTH LEGISLATIVE DAY - FEBRUARY 3, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 217** - Representative Richmond moved **HB 217** do pass. Motion carried as follows:

Yeas: Ballance, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cuffe, Curdy, Custer, Doane, Dunwell, Eck, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Lynch, MacDonald, Mandeville, Manzella, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 81

Nays: B. Bennett, J. Bennett, Burnett, Cook, Court, Dudik, Ellis, Hess, Karjala, Kelker, Kipp III, Lieser, McCarthy, Peppers, Randall, Redfield, Tropila, Williams, Wilson.

Total 19

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 224** - Representative Perry moved **HB 224** do pass. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 77

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Doane, Hagstrom, Harris, Hertz, Lamm, Manzella, Mortensen, Noland, Pinocci, Randall, Schwaderer, Staffanson, Tschida, Wagoner, Wittich, Zolnikov.

Total 23

HOUSE JOURNAL  
TWENTY-FOURTH LEGISLATIVE DAY - FEBRUARY 3, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 225** - Representative Ricci moved **HB 225** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Harris.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 256** - Representative Monforton moved **HB 256** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 42

HOUSE JOURNAL  
TWENTY-FOURTH LEGISLATIVE DAY - FEBRUARY 3, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 265** - Representative Staffanson moved **HB 265** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion Carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Wagoner moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Peppers, Perry, Person, Pierson, Pinocci, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 91

Nays: B. Bennett, Pease-Lopez.

Total 2

HOUSE JOURNAL  
TWENTY-FOURTH LEGISLATIVE DAY - FEBRUARY 3, 2015

Excused: Karjala.

Total 1

Absent or not voting: Cook, Hill, McKamey, Noland, Pope, Staffanson.

Total 6

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 68** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Staffanson.

Total 1

Excused: Karjala.

Total 1

Absent or not voting: None.

Total 0

**HB 69** passed as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Kelker, Kipp III, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Monforton, Moore, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 78

HOUSE JOURNAL  
TWENTY-FOURTH LEGISLATIVE DAY - FEBRUARY 3, 2015

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Doane, Flynn, Glimm, Jones, Lamm, Lavin, Manzella, McKamey, Mortensen, Osmundson, Pinocci, Regier, Wagoner, White, Wittich, Zolnikov.

Total 21

Excused: Karjala.

Total 1

Absent or not voting: None.

Total 0

**HB 198** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: Karjala.

Total 1

Absent or not voting: None.

Total 0

**HB 206** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price,

HOUSE JOURNAL  
TWENTY-FOURTH LEGISLATIVE DAY - FEBRUARY 3, 2015

Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Essmann, Redfield.

Total 2

Excused: Karjala.

Total 1

Absent or not voting: None.

Total 0

**HB 209** passed as follows:

Yeas: Ballance, B. Bennett, Berry, B. Brown, Z. Brown, Burnett, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 81

Nays: J. Bennett, Berglee, Brodehl, Cook, Cuffe, Doane, Fitzpatrick, Flynn, Glimm, Hess, Lamm, McKamey, Monforton, Mortensen, Tschida, Wagoner, Welborn, Wittich.

Total 18

Excused: Karjala.

Total 1

Absent or not voting: None.

Total 0

**HB 212** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Kipp III, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McCarthy, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Peppers, Perry, Pinocci, Randall, Redfield, Regier,

HOUSE JOURNAL  
TWENTY-FOURTH LEGISLATIVE DAY - FEBRUARY 3, 2015

Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 64

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Kelker, Lieser, Lynch, MacDonald, McClafferty, McConnell, Noonan, Olsen, Pease-Lopez, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 35

Excused: Karjala.

Total 1

Absent or not voting: None.

Total 0

**HB 221** passed as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Woods, Mr. Speaker.

Total 89

Nays: Ballance, Burnett, Cook, Glimm, Hagstrom, Lamm, McKamey, Welborn, Wittich, Zolnikov.

Total 10

Excused: Karjala.

Total 1

Absent or not voting: None.

Total 0

**HB 232** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch,

HOUSE JOURNAL  
TWENTY-FOURTH LEGISLATIVE DAY - FEBRUARY 3, 2015

MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 89

Nays: B. Brown, Burnett, Cook, Flynn, Randall, Schwaderer, Tschida, Welborn, Wittich, Zolnikov.  
Total 10

Excused: Karjala.  
Total 1

Absent or not voting: None.  
Total 0

**HJR 5** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 52

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 47

Excused: Karjala.  
Total 1

Absent or not voting: None.  
Total 0



HOUSE JOURNAL  
TWENTY-FOURTH LEGISLATIVE DAY - FEBRUARY 3, 2015

**MOTIONS**

Majority Leader Regier moved **HB 358** be moved from the Human Services committee to the Business and Labor committee.

Representative Olsen moved to change her vote on **HB 162** from Not Voting to No. Without objection, so ordered.

Representative Funk moved to change her vote on **HB 186** from Not Voting to Yes. Without objection, so ordered.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Wednesday, February 4, 2015. Motion carried.

House adjourned at 2:55 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
TWENTY-FIFTH LEGISLATIVE DAY**

Helena, Montana  
February 4, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Hollandsworth. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

**BILLS** (Welborn, Chair):

2/4/2015

Correctly printed: **HB 166, HB 169, HB 288, SB 26.**

Correctly engrossed: **HB 101, HB 123, HB 194, HB 251, HB 258, HB 260, HB 280, HB 290, HB 295, HB 302.**

Correctly enrolled: **HB 63.**

Transmitted to the Senate: **HB 68, HB 69, HB 198, HB 206, HB 209, HB 212, HB 221, HB 232, HJR 5.**

**REPORTS OF STANDING COMMITTEES**

**AGRICULTURE** (Redfield, Chair):

2/3/2015

**HB 194**, introduced bill, be amended as follows:

1. Page 3, line 2.

**Following:** "conducted"

**Insert:** "in accordance with standards contained in the most recent natural resources conservation service field office technical guide"

**Following:** "staff of"

**Strike:** "the"

2. Page 3, line 3.

**Following:** "(i)"

**Insert:** "the"

**Strike:** "or"

3. Page 3, line 4.

**Following:** "(ii)"

**Insert:** "the"

**Following:** "service"

**Insert:** "; or

(iii) a technical service provider certified by either the natural resources conservation service or the society for range management"

And, as amended, do pass. Report adopted.

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 4, 2015

**HB 260**, introduced bill, be amended as follows:

1. Page 1, line 14.

**Strike:** "clerk of ~~said~~ court"

**Insert:** "petitioner"

2. Page 1, line 23.

**Strike:** "clerk of ~~said~~ court"

**Insert:** "petitioner"

3. Page 1, line 25 through line 26.

**Strike:** "certificate" on line 25 through "court," on line 26

**Insert:** "affidavit of publication"

4. Page 1, line 28 through line 29.

**Strike:** subsection (4) in its entirety

And, as amended, do pass. Report adopted.

**APPROPRIATIONS** (Ballance, Chair):

2/3/2015

**HB 166**, do pass. Report adopted.

**HB 169**, do pass. Report adopted.

**BUSINESS AND LABOR** (Berry, Chair):

2/3/2015

**HB 258**, do pass. Report adopted.

**JUDICIARY** (Bennett, Chair):

2/4/2015

**SB 26**, be concurred in. Report adopted.

**LOCAL GOVERNMENT** (Greef, Chair):

2/3/2015

**HB 302**, introduced bill, be amended as follows:

1. Page 2, line 12 through line 14.

**Following:** "body" on line 12

**Strike:** remainder of line 12 through "(b)" on line 14

2. Page 3, line 30 through page 4, line 2.

**Following:** "body" on line 30

**Strike:** remainder of line 30 through "(b)" on page 4, line 2

And, as amended, do pass. Report adopted.

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 4, 2015

**STATE ADMINISTRATION** (Essmann, Chair):  
**HB 123**, introduced bill, be amended as follows:

2/3/2015

1. Title, page 1, line 7.

**Strike:** "PRIVACY"

**Insert:** "SAFETY"

2. Title, page 1, line 20.

**Following:** "SECTIONS"

**Insert:** "2-3-212, 2-3-221,"

3. Page 2, line 19.

**Following:** "city-county,"

**Insert:** "special district,"

4. Page 2, line 23.

**Following:** "including a"

**Strike:** "municipality" through "district,"

**Insert:** "local government"

5. Page 2, line 25 through line 26.

**Following:** "means information" on line 25

**Strike:** ", regardless" on line 25 through "agency" on line 26

**Insert:** "prepared, owned, used, or retained by any public agency relating to the transaction of official business, regardless of form, except for confidential information that must be protected against public disclosure under applicable law"

6. Page 3, line 7.

**Strike:** "privacy"

**Insert:** "safety"

**Following:** "exceptions"

**Insert:** "-- Montana historical society exception"

7. Page 3, line 8.

**Strike:** "Every"

**Insert:** "Except as provided in subsections (2) and (3), every"

8. Page 3, line 8 through line 10.

**Strike:** ", except for" on line 8 through "statute" on line 10

9. Page 3, line 11.

**Strike:** "individual privacy or"

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 4, 2015

10. Page 3, line 13.

**Strike:** "may jeopardize"

**Insert:** "jeopardizes"

11. Page 3, line 14 through line 16.

**Strike:** "Security features" on line 14 through "and locations." on line 16

12. Page 3, line 17 through line 18.

**Strike:** "an individual" on line 17 through "security interest" on line 18

**Insert:** "individual or public safety or the security of public facilities"

13. Page 3, line 19 through line 21.

**Strike:** subsection (3) in its entirety

**Insert:** "(3) The Montana historical society may honor restrictions imposed by private record donors as long as the restrictions do not apply to public information. All restrictions must expire no later than 50 years from the date the private record was received. Upon the expiration of the restriction, the private records will be made accessible to the public."

14. Page 3, line 27 through line 28.

**Strike:** "with an estimate" on line 27 through "subsection (3)" on line 28

**Insert:** "by:

(a) making the public information maintained by the public agency available for inspection and copying by the requesting person; or

(b) providing the requesting person with an estimate of the time it will take to fulfill the request if the public information cannot be readily identified and gathered and any fees that may be charged pursuant to subsection (3)"

15. Page 3, line 29.

**Strike:** "The"

**Insert:** "Except where a fee is otherwise provided for by law, the"

16. Page 4, line 1.

**Following:** "information."

**Insert:** "The public agency may require the requesting person to pay the estimated fee prior to identifying and gathering the requested public information."

17. Page 4.

**Following:** line 1

**Insert:** "(4) (a) The secretary of state is authorized to charge fees under this section. The fees must be set and deposited in accordance with 2-15-405. The fees must be collected in advance.

(b) The secretary of state may not charge a fee to a member of the legislature or public officer for any search relative to matters pertaining to the duties of the member's office or for a certified copy of any law or resolution passed by the legislature relative to the member's official duties."

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 4, 2015

18. Page 5, line 10.

**Strike:** "state"

**Insert:** "public agency possessing the records"

19. Page 5, line 19.

**Strike:** "plaintiff"

**Insert:** "prevailing party"

20. Page 5, line 20.

**Following:** "constitutional"

**Insert:** "or statutory"

21. Page 5, line 25.

**Strike:** "plaintiff"

**Insert:** "person whose original information request was denied"

**Strike:** "plaintiff's"

**Insert:** "person's"

22. Page 5, line 26.

**Following:** "constitution"

**Insert:** "or under the provisions of [sections 1 through 24]"

**Strike:** "may"

**Insert:** "must"

23. Page 5, line 29.

**Following:** "officer records"

**Insert:** "-- exception"

24. Page 6.

**Following:** line 6

**Insert:** "(4) Pursuant to 2-15-403, this section does not apply to certified copies provided by the secretary of state for information contained in the secretary of state's corporate and uniform commercial code electronic filing system."

25. Page 7, line 9 through line 11.

**Strike:** "a corporate information list" on line 9 through "in this state" on line 11

**Insert:** "the secretary of state's electronic filing system developed pursuant to 2-15-404 and containing corporate and uniform commercial code information"

26. Page 7, line 16.

**Following:** line 16

**Insert:** "(9) This section does not apply to lists of individuals who sign attendance sheets or sign-in sheets at a hearing or meeting of a public agency."

**Renumber:** subsequent subsections

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 4, 2015

27. Page 19, line 10.

**Strike:** "books" through "papers"

**Insert:** "documents"

28. Page 19, line 19 through line 25.

**Strike:** subsections (4) through (6) in their entirety

29. Page 19, line 27 through page 20, line 5.

**Strike:** Section 29 in its entirety

**Renumber:** subsequent sections

30. Page 20, line 6.

**Insert:** "**Section 29.** Section 2-3-212, MCA, is amended to read:

**"2-3-212. Minutes of meetings -- public inspection.** (1) Appropriate minutes of all meetings required by 2-3-203 to be open must be kept and must be available for inspection by the public. If an audio recording of a meeting is made and designated as official, the recording constitutes the official record of the meeting. If an official recording is made, a written record of the meeting must also be made and must include the information specified in subsection (2).

(2) Minutes must include without limitation:

(a) the date, time, and place of the meeting;

(b) a list of the individual members of the public body, agency, or organization who were in attendance;

(c) the substance of all matters proposed, discussed, or decided; and

(d) at the request of any member, a record of votes by individual members for any votes taken.

(3) If the minutes are recorded and designated as the official record, a log or time stamp for each main agenda item is required for the purpose of providing assistance to the public in accessing that portion of the meeting.

(4) Any time a presiding officer closes a public meeting pursuant to 2-3-203, the presiding officer shall ensure that accurate and appropriate minutes are kept of the closed portion of the meeting. The minutes from the closed portion of the meeting may not be made available for inspection except pursuant to a court order."

**Insert:** "**Section 30.** Section 2-3-221 is amended to read:

**"2-3-221. Costs to plaintiff prevailing party in certain actions to enforce constitutional right to know.** A plaintiff person who alleges a violation and who prevails in an action brought in district court to enforce the plaintiff's rights under Article II, section 9, of the Montana constitution ~~may~~ must be awarded costs and reasonable attorney fees."

**Renumber:** subsequent sections

31. Page 42, line 30.

**Strike:** "[Sections 28 and 29] are"

**Insert:** "[Section 28] is"

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 4, 2015

32. Page 43, line 1.

**Strike:** "[sections 28 and 29]"

**Insert:** "[section 28]"

33. Page 43, line 2.

**Insert:** "NEW SECTION. Section 61. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

And, as amended, do pass. Report adopted.

**HB 251**, introduced bill, be amended as follows:

1. Title, line 5.

**Following:** "SECTIONS"

**Insert:** "2-2-302,"

**Following:** "2-18-103"

**Insert:** ", "

2. Page 1, line 23.

**Following:** "contribution"

**Insert:** "unless an employer contribution is required by applicable federal law"

3. Page 1, line 24.

**Insert:** "**Section 2.** Section 2-2-302, MCA, is amended to read:

**"2-2-302. Appointment of relative to office of trust or emolument unlawful -- exceptions -- publication of notice.** (1) Except as provided in subsection (2), it is unlawful for a person or member of any board, bureau, or commission or employee at the head of a department of this state or any political subdivision of this state to appoint to any position of trust or emolument any person related or connected by consanguinity within the fourth degree or by affinity within the second degree.

(2) The provisions of 2-2-303 and this section do not apply to:

(a) a sheriff in the appointment of a person as a cook or an attendant;

(b) school district trustees if all the trustees, with the exception of any trustee who is related to the person being appointed and who must abstain from voting for the appointment, approve the appointment of a person related to a trustee;

(c) a school district in the employment of a person as a substitute teacher who is not employed as a substitute teacher for more than 30 consecutive school days as defined by the trustees in 20-1-302;

(d) the renewal of an employment contract of a person who was initially hired before the member of the board, bureau, or commission or the department head to whom the person is related assumed the duties of the office;

(e) the employment of election judges;

(f) the employment of pages or temporary session staff by the legislature; or



HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 4, 2015

(g) county commissioners of a county with a population of less than 10,000 if all the commissioners, with the exception of any commissioner who is related to the person being appointed and who must abstain from voting for the appointment, approve the appointment of a person related to a commissioner.

(3) The provisions of 2-2-303 and this section apply to a temporary legislative aide provided for in [section 1].

~~(3)~~(4) Prior to the appointment of a person referred to in subsection (2)(b) or (2)(g), written notice of the time and place for the intended action must be published at least 15 days prior to the intended action in a newspaper of general circulation in the county in which the school district is located or the county office or position is located.""

**Renumber:** subsequent sections

And, as amended, do pass. Report adopted.

**STATE ADMINISTRATION** (Essmann, Chair):  
**HB 101**, introduced bill, be amended as follows:

2/4/2015

1. Title, page 1, line 14.

**Strike:** "15-30-2618,"

2. Page 2, line 5.

**Strike:** "10"

**Insert:** "9"

3. Page 2, line 10.

**Strike:** "10"

**Insert:** "9"

4. Page 2, line 23 through page 5, line 11.

**Strike:** section 2 in its entirety

**Renumber:** subsequent sections

5. Page 10, line 21.

**Strike:** "10"

**Insert:** "9"

6. Page 17, line 7.

**Strike:** "10"

**Insert:** "9"

7. Page 17, line 14.

**Strike:** "10"

**Insert:** "9"

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 4, 2015

8. Page 35, line 13.

**Strike:** "10"

**Insert:** "9"

9. Page 36, line 26.

**Strike:** "10"

**Insert:** "9"

10. Page 36, line 27.

**Strike:** "10"

**Insert:** "9"

And, as amended, do pass. Report adopted.

**HB 288**, do pass. Report adopted.

**HB 290**, introduced bill, be amended as follows:

1. Title, page 1, line 4 through line 5.

**Strike:** "PROVIDING" on line 4 through "ACT;" on line 5

2. Title, page 1, line 6 through line 7.

**Strike:** "PROVIDING" on line 6 through "ACT;" on line 7

3. Page 1, line 12 through line 25.

**Strike:** section 1 in its entirety

**Renumber:** subsequent sections

4. Page 1, line 27 through line 28.

**Strike:** "a" on line 27 through "entity" on line 28

**Insert:** "the department of fish, wildlife, and parks"

5. Page 2, line 6 through line 11.

**Strike:** section 3 in its entirety

**Renumber:** subsequent sections

6. Page 2, line 14.

**Following:** "purpose."

**Insert:** "(1)"

7. Page 2, line 15.

**Following:** "authority"

**Strike:** "and the qualitative and quantitative basis"

8. Page 2, line 16 through line 17.

**Strike:** "and" on line 16 through "basis" on line 17

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 4, 2015

9. Page 2, line 18.

**Strike:** " <sup>1</sup>"

**Following:** "and"

**Insert:** "and"

10. Page 2, line 18 through line 19.

**Strike:** ", and" on line 18 through "act" on line 19

11. Page 2, line 21 through line 22.

**Strike:** "or" on line 21 through "act" on line 22

12. Page 2.

**Following:** line 22

**Insert:** "(2) The purpose of [section 1] is to require that the department of fish, wildlife, and parks, also make known upon written request the qualitative and quantitative analyses, including any studies or reviews, upon which a government act by the department is based. This will allow people to assess the integrity of the information upon which the government act is based."

13. Page 2, line 24 through line 26.

**Strike:** "(1)" on line 24 through "are" on line 26

**Insert:** "[Section 1] is"

14. Page 2, line 27.

**Strike:** "[sections 2 and 3]"

**Insert:** "[section 1]"

And, as amended, do pass. Report adopted.

**TRANSPORTATION** (Lavin, Chair):

2/2/2015

**HB 280**, introduced bill, be amended as follows:

1. Page 6, line 29.

**Following:** "front"

**Strike:** " <sup>1</sup>"

**Insert:** ". In lieu of a lamp affixed to the bicycle, a bicyclist may use a lamp with equal intensity and visibility affixed to the cyclist's helmet and facing forward."

And, as amended, do pass. Report adopted.

**HB 295**, introduced bill, be amended as follows:

1. Page 1, line 18.

**Following:** "(A)"

**Strike:** "not less than"

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 4, 2015

2. Page 1, line 20.

**Following:** "(B)"

**Strike:** "not less than"

3. Page 1.

**Following:** line 23

**Insert:** "(A) "bus stop" means a location identified to the department of transportation by a school district, municipality, or county as the point at which a school bus will stop to pick up or discharge passengers during the school year;"

4. Page 1, line 24.

**Strike:** "(A)"

**Insert:** "(B)"

5. Page 1, line 25.

**Following:** "highway"

**Strike:** "in any 30-day period"

6. Page 1, line 26.

**Strike:** "(B)"

**Insert:** "(C)"

And, as amended, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**SB 142**, introduced by C. Smith, requiring adoption by an affirmative roll call vote of two-thirds of each house, passed the Senate and was transmitted to the House with the following vote:

2/2/2015

Yeas - 47

Nays - 0

**Senate bills** passed and transmitted to the House for concurrence:

2/2/2015

**SB 39**, introduced by C. Smith

**SB 42**, introduced by Malek

**SB 64**, introduced by Keane

**SB 84**, introduced by McNally

**SB 85**, introduced by Buttrey

**SB 135**, introduced by Facey

**SB 141**, introduced by L. Jones

**SB 154**, introduced by Sales

**SB 184**, introduced by Cohenour

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 4, 2015

**Senate resolution** passed and transmitted to the House for concurrence:

2/2/2015

**SJR 6**, introduced by Larsen

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 391**, introduced by D. Moore, referred to Transportation.

**HB 392**, introduced by F. Garner, referred to State Administration.

**HB 393**, introduced by T. Richmond, referred to Federal Relations, Energy, and Telecommunications.

**HB 394**, introduced by G. Bennett, referred to Transportation.

**HB 395**, introduced by D. Moore, referred to Local Government.

**HB 396**, introduced by D. Jones, T. Berry, T. Burnett, E. Buttrey, P. Connell, C. Fiscus, C. Glimm, D. Hagstrom, G. Hertz, K. Holmlund, D. Kary, D. Salomon, C. Smith, F. Thomas, B. Tutvedt, referred to Business and Labor.

**HB 397**, introduced by K. Dudik, referred to Judiciary.

**HB 398**, introduced by T. Richmond, referred to Judiciary.

**HB 399**, introduced by G. Hertz, referred to Human Services.

**HB 400**, introduced by G. Custer, referred to State Administration.

**HB 401**, introduced by S. Fitzpatrick, R. Cook, G. Custer, S. Lavin, F. Mandeville, T. Richmond, D. Salomon, N. Schwaderer, D. Zolnikov, referred to Federal Relations, Energy, and Telecommunications.

**HB 402**, introduced by A. Knudsen, A. Doane, F. Moore, D. Mortensen, M. Noland, L. Randall, M. Rosendale, S. Staffanson, referred to Appropriations.

**HB 403**, introduced by D. Hagstrom, referred to Appropriations.

**HB 404**, introduced by A. Wittich, referred to Taxation.

The following Senate bills were introduced, read first time, and referred to committees:

**SB 39**, introduced by C. Smith (by request of the Department of Justice), referred to Business and Labor.

**SB 42**, introduced by S. Malek (by request of the State Administration and Veterans' Affairs Interim Committee), referred to State Administration.

**SB 64**, introduced by J. Keane (by request of the Environmental Quality Council), referred to State Administration.

**SB 84**, introduced by M. McNally (by request of the State Auditor), referred to Business and Labor.

**SB 85**, introduced by E. Buttrey (by request of the Department of Labor and Industry), referred to Business and Labor.

**SB 135**, introduced by T. Facey, E. Arntzen, referred to Business and Labor.

**SB 141**, introduced by L. Jones, referred to Education.

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 4, 2015

**SB 142**, introduced by C. Smith, N. Ballance, Debby Barrett, G. Bennett, S. Berglee, M. Blasdel, J. Brenden, B. Brown, D. Brown, T. Brown, C. Clark, J. Cohenour, R. Cook, A. Doane, R. Driscoll, R. Ehli, J. Fielder, S. Fitzpatrick, K. Flynn, F. Garner, C. Glimm, E. Greef, D. Hagstrom, B. Hamlett, K. Hansen, G. Hertz, S. Hess, J. Hinkle, D. Howard, D. Jones, L. Jones, D. Kary, J. Keane, B. Keenan, A. Knudsen, D. Lamm, M. Lang, S. Laszloffy, S. Lavin, F. Mandeville, T. Manzella, E. McClafferty, W. McKamey, M. McNally, M. Miller, M. Monforton, D. Moore, F. Moore, D. Mortensen, A. Olszewski, R. Osmundson, R. Pinocci, L. Randall, A. Redfield, K. Regier, V. Ricci, T. Richmond, R. Ripley, M. Rosendale, D. Sands, N. Schwaderer, S. Staffanson, N. Swandal, J. Taylor, F. Thomas, B. Tschida, G. Vance, C. Vincent, R. Webb, D. Zolnikov, referred to Human Services.

**SB 154**, introduced by S. Sales, referred to Fish, Wildlife and Parks.

**SB 184**, introduced by J. Cohenour, S. Lavin, referred to Transportation.

The following Senate joint resolution was introduced, read first time, and referred to committee:

**SJR 6**, introduced by C. Larsen, D. Ankney, S. Berglee, C. Fiscus, E. Greef, K. Hansen, B. Harris, B. Hoven, D. Howard, E. Lieser, K. McCarthy, M. Miller, A. Olszewski, A. Person, G. Pierson, R. Shaw, N. Swandal, K. Wagoner, A. Wittich, referred to State Administration.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion Carried. Representative Eck in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 285** - Representative Flynn moved **HB 285** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner,

Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 4, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 250** - Representative Wagoner moved **HB 250** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Perry, Person, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 72

Nays: B. Bennett, Court, Dudik, Dunwell, Eck, Ellis, Hayman, Hunter, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Pease-Lopez, Peppers, Pope, Price, Schreiner, Steenberg, Swanson, Tropila, Webber, Williams, Wilson.

Total 28

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 299** - Representative Noland moved **HB 299** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 52

Nays: B. Bennett, Z. Brown, Cook, Court, Cuffe, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hagstrom, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 48

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 4, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 10** - Representative Lang moved **SB 10** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Cuffe.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 11** - Representative Lynch moved **SB 11** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Cuffe, Peppers, Redfield.

Total 3



HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 4, 2015

Excused: None.

Total 0

Absent or not voting: Shaw.

Total 1

**SB 15** - Representative McConnell moved **SB 15** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Hertz, White.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 70** - Representative Lynch moved **SB 70** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 88

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Cook, Hess, Manzella, Wagoner, White, Wittich, Zolnikov.

Total 12

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 4, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 71** - Representative Welborn moved **SB 71** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Funk, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Zolnikov.

Total 62

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Cook, Doane, Ehli, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Monforton, Mortensen, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Mr. Speaker.

Total 38

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 75** - Representative Steenberg moved **SB 75** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 71

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Flynn, Glimm, Harris, Hess, Lamm, Mandeville, Manzella, Miller, Monforton, Olszewski, Randall, Redfield, Regier, Schwaderer, Smith, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 29

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 4, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 98** - Representative Salomon moved **SB 98** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Funk, Garner, Harris, Hayman, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 63

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Ehli, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Hess, Holmlund, Lamm, Laszloffy, Lavin, Manzella, McKamey, Meyers, Miller, Monforton, Olszewski, Pinocci, Randall, Redfield, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 36

Excused: None.

Total 0

Absent or not voting: Court.

Total 1

Majority Leader Regier moved the committee rise and report. Motion Carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Eck moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 4, 2015

Nays: B. Bennett.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 85** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 88

Nays: J. Bennett, Brodehl, B. Brown, Essmann, Glimm, Manzella, Miller, Monforton, Schwaderer, Wagoner, White, Wittich.

Total 12

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 118** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson,

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 4, 2015

Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: J. Bennett, Brodehl, B. Brown, Doane, Lamm, White, Wittich.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 162** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Custer, Doane, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Kipp III, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 52

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Dudik, Dunwell, Eck, Ehli, Ellis, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 48

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 186** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty,

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 4, 2015

McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 99

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: Essmann.  
Total 1

**HB 204** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McKamey, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Peppers, Perry, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Tschida, Wagoner, Welborn, White, Williams, Woods, Zolnikov, Mr. Speaker.  
Total 69

Nays: B. Bennett, Z. Brown, Dudik, Dunwell, Eck, Ellis, Hayman, Hill, Hunter, Karjala, Kelker, Kipp III, Lieser, MacDonald, McCarthy, McClafferty, McConnell, Meyers, Olsen, Pease-Lopez, Person, Pierson, Pope, Price, Schreiner, Steenberg, Swanson, Tropila, Webber, Wilson, Wittich.  
Total 31

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 208** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dunwell, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang,

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 4, 2015

Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Dudik, Eck, Olsen, Smith.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 217** passed as follows:

Yeas: Ballance, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Cuffe, Curdy, Custer, Doane, Dunwell, Eck, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lynch, MacDonald, Mandeville, Manzella, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 86

Nays: B. Bennett, J. Bennett, Burnett, Court, Dudik, Ellis, Hess, Lieser, McCarthy, Peppers, Redfield, Tropila, Williams, Wilson.

Total 14

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 224** passed as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald,

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 4, 2015

Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Monforton, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 72

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Flynn, Hagstrom, Harris, Hertz, Hess, Jones, Lamm, Laszloffy, Manzella, McKamey, Mortensen, Randall, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, Wittich, Zolnikov.  
Total 28

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 225** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 256** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin,



HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 4, 2015

Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 42

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 265** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 98

Nays: Hess, Zolnikov.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 4, 2015

**MOTIONS**

Majority Leader Regier moved **HB 164** be moved from the Fish, Wildlife and Parks committee to the Business and Labor committee.

Majority Leader Regier moved **HB 306** be moved from the Judiciary committee to the Business and Labor committee.

**UNFINISHED BUSINESS**

Mr. Speaker, I move that the following undersigned name be **ADDED** as sponsor to **HB 284**  
Motion Carried.

**HB 284** (K. Dudik, Chief Sponsor)  
Swandal.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Thursday, February 5, 2015. Motion carried.

House adjourned at 2:12 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
TWENTY-SIXTH LEGISLATIVE DAY**

Helena, Montana  
February 5, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Holmlund. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Clark, Monforton, and Staffanson, excused. Quorum present.

Minority Leader Hunter announced the Democrats would caucus.  
Majority Leader Regier announced the Republicans would stand at ease.

**BILLS** (Welborn, Chair):

2/5/2015

Correctly printed: **HB 24, HB 33, HB 34, HB 35, HB 47, HB 226, HB 319, HB 324, SB 4, SB 5, SB 35, SB 36, SB 58.**

Correctly engrossed: **HB 191, HB 196, HB 203, HB 229, HB 348, SB 29.**

Correctly enrolled: **HB 32, HB 82, HB 108.**

Examined by the sponsor and found to be correct: **HB 63.**

Transmitted to the Senate: **HB 85, HB 118, HB 162, HB 186, HB 204, HB 208, HB 217, HB 224, HB 225, HB 256, HB 265.**

Signed by the Speaker at 3:30 p.m., February 5, 2015: **HB 63.**

Signed by the Chief Clerk of the House at 4:15 p.m., February 5, 2015: **HB 63.**

**COMMUNICATIONS AND PETITIONS**

Mr. Speaker: We, your committee on Legislative Administration, having examined the daily journals for the sixth, seventh, eighth, ninth, and tenth legislative days, find the same to be correct.

Representative Welborn, Chair

**REPORTS OF STANDING COMMITTEES**

**APPROPRIATIONS** (Ballance, Chair):

2/4/2015

**HB 24**, do pass. Report adopted.

**HB 33**, do pass. Report adopted.

**HB 34**, do pass. Report adopted.

**HB 35**, do pass. Report adopted.

**HB 47**, do pass. Report adopted.

**BUSINESS AND LABOR** (Berry, Chair):

2/5/2015

**STATE INTERNET/BBS COPY**

360

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 5, 2015

**HB 119**, introduced bill, be amended as follows:

1. Page 2.

**Following:** line 8

**Insert:** "(2) "NAIC" means the national association of insurance commissioners."

**Renumber:** subsequent subsections

2. Page 2, line 10.

**Following:** "adopted by"

**Insert:** "the"

3. Page 2, line 11.

**Following:** "commissioner."

**Insert:** "A change to the ORSA guidance manual is effective on January 1 following the calendar year in which the commissioner adopts the changed manual by rule."

4. Page 2, line 14.

**Following:** the second "assessment"

**Insert:** ", appropriate to the nature, scale, and complexity of an insurer or insurance group,"

5. Page 2, line 18.

**Following:** "a study"

**Insert:** "of the elements used"

6. Page 3.

**Following:** line 13

**Insert:** "(3) The report must be prepared consistent with the ORSA guidance manual and this section. Documentation and supporting information must be maintained and made available for an examination or on request of the commissioner."

**Renumber:** subsequent subsection

7. Page 3.

**Following:** line 21

**Insert:** "(5) An insurer may comply with this section by providing the most recent and substantially similar report provided by the insurer or another member of an insurance group of which the insurer is a member to the insurance regulator of another state or to a supervisor or regulator of a foreign jurisdiction, if that report provides information that is comparable to the information described in the ORSA guidance manual. A report in a language other than English must be accompanied by a translation of the report into English."

8. Page 3, line 24.

**Strike:** "completing an ORSA summary report"

**Insert:** "the requirements of [sections 1 through 9]"

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 5, 2015

9. Page 4, line 22.

**Strike:** the second "or"

10. Page 4, line 23.

**Following:** "33-2-1904"

**Insert:** ";

(iii) if the insurer is in hazardous financial condition as described in 33-2-1321; or

(iv) if the insurer exhibits the qualities of a troubled insurer as determined by the commissioner"

11. Page 4.

**Following:** line 26

**Insert:** "(6) If an insurer qualifies for an exemption pursuant to subsection (1) but subsequently no longer qualifies for that exemption because of changes in premium as reflected in the insurer's most recent annual statement or in the most recent annual statements of the insurers within the insurance group of which the insurer is a member, the insurer has 1 year following the year in which the threshold was exceeded to comply with the requirements of [sections 1 through 9]."

12. Page 4, line 30.

**Following:** "person"

**Insert:** "under [sections 1 through 9]"

**Strike:** "confidential" through "treated as"

**Insert:** "recognized as proprietary and"

**Following:** "secrets"

**Insert:** ". "

13. Page 5, line 1.

**Strike:** "as defined in 30-14-402. As a trade secret the"

**Insert:** "The"

**Following:** "information is"

**Insert:** "confidential by law and"

14. Page 5, line 2.

**Following:** "discovery,"

**Insert:** "the provisions of 2-6-102,"

**Following:** "Act"

**Insert:** ", 5 U.S.C. 552"

15. Page 5, line 9.

**Following:** "may"

**Insert:** ", on request,"

**Following:** "information"

**Insert:** ", including proprietary and trade secret documents and materials,"

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 5, 2015

16. Page 5, line 12.

**Following:** "verify"

**Insert:** "in writing"

17. Page 5, line 14.

**Following:** "receive"

**Insert:** "ORSA-related"

**Following:** "information"

**Insert:** ", including otherwise confidential and privileged documents, materials, or other information that may include proprietary and trade secret information or documents,"

18. Page 5, line 28.

**Following:** "(e) require"

**Insert:** "prompt"

19. Page 6.

**Following:** line 9

**Insert:** "(8) Information in the possession of or control of the NAIC or a third-party consultant pursuant to [sections 1 through 9] is confidential by law and privileged, is not admissible in evidence in any private civil action, and is not subject to 2-6-102, subpoena, or discovery."

**Renumber:** subsequent subsection

20. Page 8, line 11 through line 12.

**Strike:** "after the operative" on line 11 through "manual" on line 12

21. Page 9, line 12.

**Following:** "(3);"

**Insert:** "or"

22. Page 11, line 10.

**Following:** "request."

**Insert:** "A report under this subsection (3)(c) is required after the commissioner has adopted rules as provided in [section 16]."

23. Page 11, line 13.

**Strike:** "(1)"

24. Page 11, line 16 through line 17.

**Strike:** subsection (2) in its entirety

25. Page 11, line 19 through line 20.

**Strike:** "subsections" on line 19 through "(5)" on line 20

**Insert:** "subsection (9)"

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 5, 2015

26. Page 11, line 27 through page 12, line 5.

**Strike:** subsection (4) in its entirety

**Insert:** "(4) Subject to the conditions in subsection (4)(c), the commissioner may, to assist in the performance of the commissioner's duties, share:

(a) confidential information with other state, federal, and international regulatory agencies and with the NAIC and its affiliates and subsidiaries upon agreement that the confidential information will be kept confidential; and

(b) only confidential information as defined in subsections (10)(a)(i)(A) and (10)(a)(i)(D) with:

(i) the actuarial board for counseling and discipline or its successor upon a request that states the confidential information is required for use in professional disciplinary proceedings; and

(ii) state, federal, and international law enforcement officials; and

(c) the information under this subsection (4) only if the recipient of the information has the legal authority to agree, and the recipient has agreed, to maintain the confidentiality and privileged status of the documents, materials, data, and other information in the same manner and to the same extent as required for the commissioner.

(5) (a) The commissioner may receive documents, materials, data, and other information, including otherwise confidential and privileged documents, materials, data, and other information, from:

(i) the NAIC and its affiliates and subsidiaries;

(ii) regulatory or law enforcement officials of other foreign or domestic jurisdictions; and

(iii) the actuarial board for counseling and discipline or its successor.

(b) The commissioner shall maintain as confidential or privileged any documents, materials, data, or other information received from the entities listed in subsection (5)(a) with notice or the understanding that the documents, materials, data, or other information is confidential or privileged under the laws of the jurisdiction that is the source of the documents, materials, data, or other information."

**Renumber:** subsequent subsections

27. Page 12, line 7.

**Strike:** "subsection (4)"

**Insert:** "this section"

28. Page 12, line 9.

**Strike:** "subsections (4) and (5)"

**Insert:** "this section"

29. Page 12, line 12.

**Strike:** "subsection (1)"

**Insert:** "this section"

30. Page 12.

**Following:** line 13

**Insert:** "(9) The confidential information defined in subsections (10)(a)(i)(A) and (10)(a)(i)(D) may:

(a) be subject to subpoena for the purpose of defending an action seeking damages from the appointed actuary submitting the related memorandum in support of an opinion submitted

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 5, 2015

under 33-2-521 or a principle-based valuation report developed pursuant to [section 13(3)(c)] by reason of an action required by [sections 10 through 16];

(b) be otherwise released by the commissioner with the written consent of the company;  
or

(c) no longer be confidential for all portions after any portion of a memorandum in support of an opinion submitted under 33-2-521 or a principle-based valuation report developed under [section 13(3)(c)] is cited by the company in its marketing or is publicly volunteered to or before a governmental agency other than a state insurance department or is released by the company to the news media."

**Renumber:** subsequent subsections

31. Page 12, line 20.

**Strike:** "(8)(a)(ii)(A)"

**Insert:** "(10)(a)(ii)(A)"

32. Page 12, line 27.

**Strike:** "associated"

**Insert:** "other"

33. Page 13, line 8.

**Strike:** "This"

**Insert:** "The"

**Following:** "information"

**Insert:** "under this subsection (10)(a)(i)(E)"

34. Page 13, line 10.

**Strike:** "(8)(a)(i)(E)"

**Insert:** "(10)(a)(i)(E)"

35. Page 23, line 13 through line 14.

**Strike:** "In addition" on line 13 through "requirements" on line 14

**Insert:** "For policies issued prior to the operative date"

36. Page 25, line 24.

**Following:** "insurer that"

**Insert:** ", if not remedied promptly,"

37. Page 29, line 26.

**Following:** "commissioner, is"

**Insert:** "either directly or through its affiliates"

38. Page 33, line 21.

**Following:** "to the insurer"

**Insert:** "to the best of the controlling person's knowledge and belief"



HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 5, 2015

39. Page 34, line 20.

**Following:** "statement<sub>2</sub>,"

**Insert:** "any summary of the registration statement,"

40. Page 37, line 28 through page 38, line 21.

**Strike:** subsection (1) through subsection (4) in their entirety

**Insert:** "(1) Documents, materials, and other information in the possession or control of the commissioner that are obtained by or disclosed to the commissioner or any other person in the course of an examination or investigation made pursuant to 33-2-1115 and all information reported pursuant to 33-2-1104(3)(l), 33-2-1104(3)(m), 33-2-1111, and 33-2-1113 must be confidential by law and privileged, are not subject to 2-6-102, subpoena, or discovery, and are not admissible in evidence in any private civil action. The commissioner is authorized to use the documents, materials, and other information to further any regulatory or legal action brought as a part of the commissioner's official duties. The commissioner may not otherwise make the documents, materials, or other information public without the prior written consent of the insurer to which the documents, materials, or other information pertains unless the commissioner, after giving notice and an opportunity to be heard to the insurer and the insurer's affiliates who would be affected, determines that the interest of policyholders, shareholders, or the public would be served by the publication. On a determination that the interest of policyholders, shareholders, or the public would be served, the commissioner may publish all or any part of the documents, materials, or other information in a manner that the commissioner considers appropriate.

(2) Neither the commissioner nor any person who receives documents, materials, or other information while acting under the authority of the commissioner, or with whom the documents, materials, or other information is shared under [sections 10 through 16], 33-2-521 through 33-2-529, 33-2-531, 33-2-537, and this section, may be required or permitted to testify in a private civil action concerning any confidential documents, materials, or information subject to subsection (1).

(3) To assist in the performance of the commissioner's duties, the commissioner:

(a) may, subject to subsection (3)(b), share documents, materials, or other information, including the confidential and privileged documents, materials, or information subject to subsection (1), with other state, federal, and international regulatory agencies, with the NAIC and its affiliates and subsidiaries, and with state, federal, and international law enforcement authorities, including members of a supervisory college. To receive the shared documents, materials, or other information, the recipient shall verify in writing that the recipient has the legal authority to maintain confidentiality and agree in writing to maintain the confidentiality and privileged status of the documents, materials, or other information.

(b) may share confidential and privileged documents, materials, or other information reported pursuant to 33-2-1111(7) only with insurance regulators of states having statutes or regulations substantially similar to subsection (1) and only if the respective insurance regulators have agreed in writing not to disclose the documents, materials, or other information;

(c) may receive documents, materials, or other information, including otherwise confidential and privileged documents, materials, or other information from the NAIC and its affiliates and subsidiaries and from regulatory and law enforcement officials of other foreign or domestic jurisdictions; and

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 5, 2015

(d) shall maintain as confidential or privileged any document, materials, or other information received under subsection (3)(c) with notice or the understanding that the document, materials, or other information is confidential or privileged under the laws of the jurisdiction that is the source of the document, materials, or information."

41. Page 38, line 22.

**Strike:** "(5)(a)"

**Insert:** "(4)(a)"

**Renumber:** subsequent subsections

42. Page 38, line 25.

**Strike:** "section"

**Insert:** "subsection (4)"

43. Page 39, line 7.

**Following:** "affiliates"

**Insert:** "and subsidiaries"

44. Page 39, line 8.

**Following:** "affiliates"

**Insert:** "and subsidiaries"

45. Page 39, line 10 through line 13.

**Strike:** subsection (6) in its entirety

**Insert:** "(5) The sharing of information by the commissioner pursuant to [sections 10 through 16], 33-2-521 through 33-2-529, 33-2-531, 33-2-537, and this section does not constitute a delegation of regulatory authority or rulemaking. The commissioner is solely responsible for the administration, execution, and enforcement of the provisions of [sections 10 through 16], 33-2-521 through 33-2-529, 33-2-531, 33-2-537, and this section."

**Renumber:** subsequent subsections

46. Page 39, line 15.

**Following:** "subsections"

**Insert:** "(3) and"

**Strike:** "and (5)"

47. Page 39, line 18 through line 22.

**Strike:** subsections (8) and (9) in their entirety

**Insert:** "(7) Documents, materials, and other information in the possession or control of the NAIC pursuant to [sections 10 through 16], 33-2-521 through 33-2-529, 33-2-531, 33-2-537, and this section are confidential by law and privileged, are not admissible in evidence in a private civil action, and are not subject to 2-6-102, subpoena, or discovery."

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 5, 2015

48. Page 41, line 1.

**Strike:** "deduction"

**Insert:** "reduction"

49. Page 41, line 2.

**Following:** "(6)."

**Insert:** "Credit must be allowed under subsections (2), (3), or (4) only in respect to cessions of those kinds or classes of business that the assuming insurer is licensed or otherwise permitted to write or assume in its state of domicile or, in the case of a U.S. branch of an alien assuming insurer, in the state through which the branch of the alien assuming insurer entered and is licensed to transact insurance or reinsurance."

50. Page 41, line 6.

**Following:** "accredited"

**Insert:** "by the commissioner"

51. Page 42, line 11.

**Following:** "fund."

**Insert:** "The assuming insurer shall submit to examination of its books and records by the commissioner and shall bear the expense of examination."

52. Page 48.

**Following:** line 11

**Insert:** "(10) A ceding insurer shall take steps:

(a) to manage the reinsurance recoverables proportionate to the ceding insurer's own book of business. A domestic ceding insurer shall provide notice to the commissioner within 30 days after:

(i) the reinsurance recoverables from any single assuming insurer or group of affiliated assuming insurers exceeds 50% of the domestic ceding insurer's last reported surplus to policyholders; or

(ii) a determination that the reinsurance recoverables from any single assuming insurer or group of affiliated assuming insurers is likely to exceed the limit in subsection (10)(a)(i).

(b) to diversify its reinsurance program. A domestic ceding insurer shall notify the commissioner within 30 days after ceding to any single assuming insurer or group of affiliated assuming insurers more than 20% of the ceding insurer's gross written premium in the prior calendar year or after the domestic ceding insurer has determined that the reinsurance ceded to any single assuming insurer or group of affiliated assuming insurers is likely to exceed the 20% limit.

(c) The notifications made pursuant to this subsection (10) must demonstrate that the exposure is safely managed by the domestic ceding insurer."

**Renumber:** subsequent subsection

And, as amended, do pass. Report adopted.

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 5, 2015

**HB 324**, do pass. Report adopted.  
**SB 4**, be concurred in. Report adopted.  
**SB 35**, be concurred in. Report adopted.  
**SB 36**, be concurred in. Report adopted.

**EDUCATION** (Laszloffy, Chair):

2/4/2015

**HB 196**, introduced bill, be amended as follows:

1. Page 2, line 8.

**Strike:** "Reimbursement"

**Insert:** "Tribal college reimbursement"

2. Page 2, line 11.

**Following:** "students"

**Insert:** "as defined in [section 3]"

3. Page 2, line 18 through line 20.

**Strike:** "reimbursement" on line 18 through "20-15-310" on line 20

**Insert:** "distribution for any resident nonbeneficiary student reimbursement must be no less than a baseline amount of \$3,280 for each year of the biennium for the biennium beginning July 1, 2015, for each full-time equivalent student. In each subsequent biennium, the baseline amount must be adjusted by the inflation factor, as defined in [section 3], and distributed annually for each full-time equivalent student. The inflation-adjusted payment from the previous biennium must be used as the new baseline amount in the next biennium"

4. Page 3, line 15.

**Insert:** "NEW SECTION. Section 3. Definitions. As used in 20-25-428 and this section, the following definitions apply:

(1) "Beneficiary student" means a student who is:

(a) a member of an Indian tribe; or

(b) a biological child of a member of an Indian tribe, living or deceased.

(2) "Consumer price index" means the consumer price index defined in 20-9-326.

(3) "Inflation factor" means the consumer price index for July 1 of the prior calendar year divided by the consumer price index for July 1 of the calendar year 3 years prior to the current calendar year with the resulting ratio raised to the power of one-third.

(4) "Nonbeneficiary student" means a resident nontribal student."

"NEW SECTION. Section 4. Codification instruction. [Section 3] is intended to be codified as an integral part of Title 20, chapter 25, part 4, and the provisions of Title 20, chapter 25, part 4, apply to [section 3]."

**Renumber:** subsequent sections

And, as amended, do pass. Report adopted.

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 5, 2015

**SB 29**, be amended as follows:

1. Title, page 1, line 4.

**Strike:** "LIMIT ON"

**Insert:** "REQUIREMENTS RELATED TO"

2. Page 1, line 11.

**Strike:** "(1)"

3. Page 1, line 13 through page 2, line 12.

**Strike:** subsection (2) in its entirety

And, as amended, be concurred in. Report adopted.

**FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS** (Lang, Chair): 2/4/2015

**HB 226**, do pass. Report adopted.

**HUMAN SERVICES** (Wittich, Chair):

2/4/2015

**HB 191**, do pass. Report adopted.

**HB 319**, do pass. Report adopted.

**HB 348**, do pass. Report adopted.

**SB 5**, be concurred in. Report adopted.

**JUDICIARY** (Bennett, Chair):

2/4/2015

**HB 203**, introduced bill, be amended as follows:

1. Title, page 1, line 5.

**Strike:** "SEMIAUTOMATIC WEAPONS AND LARGE"

**Insert:** "FIREARMS AND"

2. Page 1, line 10.

**Following:** "through"

**Strike:** "4"

**Insert:** "3"

3. Page 1, line 11.

**Strike:** "Semiautomatic"

**Following:** "Firearm and"

**Strike:** "Large"

4. Page 1, line 13.

**Following:** "through"

**Strike:** "4"

**Insert:** "3"

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 5, 2015

5. Page 1, line 15.

**Strike:** "2013"

**Insert:** "2015"

6. Page 1, line 17.

**Strike:** "self-loading rifle, pistol, revolver, or shotgun, any manually loaded rifle, pistol, revolver, or shotgun,"

**Insert:** "firearm"

7. Page 1, line 18.

**Following:** line 18

**Insert:** "(2) "Firearm" means any self-loading rifle, pistol, revolver, or shotgun or any manually loaded rifle, pistol, revolver, or shotgun."

**Renumber:** subsequent subsections

8. Page 1, line 19.

**Following:** "through"

**Strike:** "4"

**Insert:** "3"

9. Page 1, line 25.

**Strike:** "semiautomatic weapons or large"

**Insert:** "firearms or"

10. Page 1, line 27.

**Strike:** "semiautomatic weapons or large"

**Insert:** "firearms or"

11. Page 1, line 29.

**Strike:** "semiautomatic weapons or large"

**Insert:** "firearms or"

12. Page 2, line 1.

**Strike:** "semiautomatic weapons or large"

**Insert:** "firearms or"

13. Page 2, line 3.

**Following:** "through"

**Strike:** "4"

**Insert:** "3"

**Following:** "do not apply to"

**Strike:** remainder of line 3 through remainder of line 4

**Insert:** ":

(a) the possession or use of a fully automatic firearm;

(b) the enforcement of any federal or state law prohibiting a person with a felony conviction

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 5, 2015

from possessing a firearm;

(c) the enforcement of any federal or state law prohibiting a person convicted of a misdemeanor offense of domestic violence from possessing a firearm; or

(d) the enforcement of a current order of protection issued pursuant to Title 40, chapter 15, prohibiting a person from possessing a firearm."

14. Page 2, line 6 through line 22.

**Strike:** section 4 in its entirety

**Renumber:** subsequent sections

15. Page 2, line 30.

**Following:** "through"

**Strike:** "4"

**Insert:** "3"

16. Page 3, line 1.

**Following:** "through"

**Strike:** "4"

**Insert:** "3"

And, as amended, do pass. Report adopted.

**NATURAL RESOURCES** (White, Chair):

2/4/2015

**SB 58**, be concurred in. Report adopted.

**TRANSPORTATION** (Lavin, Chair):

2/4/2015

**HB 229**, introduced bill, be amended as follows:

1. Title, line 4.

**Strike:** "THAT"

**Insert:** "WHEN "

2. Title, line 5.

**Strike:** "ONLY" through "EMERGENCY"

**Following:** ";

**Insert:** "AUTHORIZING RULEMAKING;"

**Strike:** "SECTION"

**Insert:** "SECTIONS"

3. Title, page 6.

**Following:** "46-5-502"

**Insert:** "AND 46-5-510"

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 5, 2015

4. Page 1, line 11.

**Strike:** "When" through "a"

**Insert:** "A"

5. Page 1, line 15 through line 16.

**Strike:** "Temporary" on line 15 through "purpose." on line 16

**Insert:** "A temporary roadblock may also be established in response to an active emergency.

(2)(a) A temporary roadblock may be established in an area where a significant number of known causal factors of motor vehicle accidents involving fatalities, injuries, or other serious legal violations are known to have occurred. During a temporary roadblock, verification of a valid driver's license, vehicle registration, and insurance may be required.

(b) Whenever a law enforcement agency conducts a temporary roadblock under this subsection (2):

(i) the discovery of ordinary criminal activity that is purely incidental to the purpose of ensuring roadway safety may be prosecuted; and

(ii) secondary violations may not be enforced."

6. Page 1, line 17.

**Strike:** "(2) "Active"

**Insert:** "(3) The term "active"

7. Page 1.

**Following:** line 18

**Insert:** "**Section 2.** Section 46-5-510, MCA, is amended to read:

**"46-5-510. Establishing temporary roadblock -- plan required -- exception.** (1) A written plan for establishing a temporary roadblock pursuant to 46-5-502(2):

(a) must be designed by ~~supervisory officers within~~ the law enforcement agency to ensure motorist safety, minimize motorist inconvenience, and prevent the arbitrary selection of vehicles by providing a schedule for the selection of vehicles to be stopped;

(b) must be approved in advance of conducting the roadblock by supervisory officers within the law enforcement agency who will not be present where a temporary roadblock is conducted;

(c) must ensure that a temporary roadblock is minimally intrusive and does not allow for unconstrained discretion by law enforcement agents performing the roadblock; and

(d) must include:

(i) the purpose of the temporary roadblock;

(ii) the location, date, and time at which the temporary roadblock will be conducted;

(iii) the pattern sequence of vehicles to be stopped;

(iv) a drawing that shows how the spot check will be established;

(v) a copy of the public service announcement to be used to advertise the temporary roadblock; and

(vi) the names of the media to be notified of the temporary roadblock.

(2) All major media outlets in the area where the temporary roadblock is to be performed must be notified at least 48 hours prior to the scheduled temporary roadblock.

(3) This section does not apply to a roadblock established by a law enforcement agency pursuant to 46-5-502(1).



HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 5, 2015

(4) The department of justice may adopt rules to implement the provisions of this part."

And, as amended, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**House bill** concurred in and returned to the House: 2/3/2015

**HB 63**, introduced by Swanson

**Senate bills** passed and transmitted to the House for concurrence: 2/3/2015

**SB 41**, introduced by Facey

**SB 53**, introduced by Dick Barrett

**SB 81**, introduced by Facey

**SB 119**, introduced by Kary

**SB 163**, introduced by Buttrey

**SB 183**, introduced by T. Brown

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 405**, introduced by J. Essmann, referred to Judiciary.

**HB 406**, introduced by R. Cook, referred to State Administration.

**HB 407**, introduced by V. Court, W. Curdy, K. Dudik, M. Dunwell, J. Ellis, D. Hayman, E. Lieser, R. Lynch, E. McClafferty, M. Phillips, R. Shaw, E. Hill, Z. Perry, N. Wilson, referred to Transportation.

**HB 408**, introduced by G. Hertz, referred to State Administration.

**HB 409**, introduced by B. Bennett, referred to State Administration.

**HB 410**, introduced by J. Essmann, referred to Judiciary.

**HB 411**, introduced by T. Richmond, M. Noland, R. Ripley, S. Staffanson, referred to Taxation.

**HB 412**, introduced by D. Zolnikov, referred to Judiciary.

The following House joint resolution was introduced, read first time, and referred to committee:

**HJR 12**, introduced by G. Hertz, J. Fielder, R. Pinocci, D. Salomon, J. Taylor, referred to State Administration.

The following Senate bills were introduced, read first time, and referred to committees:

**SB 41**, introduced by T. Facey (by request of the Secretary of State), referred to Business and Labor.

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 5, 2015

**SB 53**, introduced by Dick Barrett (by request of the Department of Administration), referred to Business and Labor.

**SB 81**, introduced by T. Facey (by request of the Board of Chiropractors, the Board of Hearing Aid Dispensers, the Board of Nursing, the Board of Outfitters, and the Board of Realty Regulation), referred to Business and Labor.

**SB 119**, introduced by D. Kary, J. Fielder, G. Vance, referred to Business and Labor.

**SB 163**, introduced by E. Buttrey, referred to Business and Labor.

**SB 183**, introduced by T. Brown, referred to Agriculture.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion Carried. Representative Woods in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 101** - Representative Steenberg moved **HB 101** do pass. Motion carried as follows:

Yeas: B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.  
Total 83

Nays: Ballance, J. Bennett, Brodehl, Cook, Cuffe, Doane, Flynn, Glimm, Hertz, Manzella, Mortensen, Noland, Randall, Staffanson, Tschida, Welborn, Zolnikov.  
Total 17

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 194** - Representative Redfield moved **HB 194** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Essmann, Fiscus,

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 5, 2015

Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Welborn, White, Williams, Wittich, Zolnikov, Mr. Speaker.

Total 91

Nays: Ellis, Funk, Olsen, Pease-Lopez, Smith, Tropila, Webber, Wilson, Woods.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 251** - Representative Essmann moved **HB 251** do pass.

**HB 251** - Representative B. Bennett moved **HB 251**, second reading copy, be amended as follows:

1. Page 1, line 10 through line 11.

**Strike:** "The" on line 10 through "aides." on line 11

**Insert:** "The speaker of the house of representatives, the minority leader of the house of representatives, the president of the senate, and the minority leader of the senate may each hire one temporary legislative aide."

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 5, 2015

Nays: Doane.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 251** - Representative Essmann moved **HB 251**, as amended, do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Doane, McConnell, Olsen.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 258** - Representative Williams moved **HB 258** do pass. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Cook, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Funk, Hayman, Hertz, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Zolnikov.

Total 53

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Clark, Cuffe, Custer, Doane, Ehli, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hess, Hollandsworth,

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 5, 2015

Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Richmond, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Mr. Speaker.  
Total 47

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 260** - Representative Lynch moved **HB 260** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 93

Nays: Cuffe, Doane, Fitzpatrick, Glimm, Noland, Wittich, Zolnikov.  
Total 7

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 288** - Representative Richmond moved **HB 288** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Tschida, Welborn, White, Williams, Wittich, Zolnikov, Mr. Speaker.  
Total 61

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 5, 2015

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Wilson, Woods.  
Total 39

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 295** - Representative Pease-Lopez moved **HB 295** do pass. Motion carried as follows:

Yeas: B. Bennett, Z. Brown, Cook, Court, Cuffe, Curdy, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 53

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Custer, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Miller, Monforton, Mortensen, Noland, Osmundson, Pinocci, Randall, Redfield, Regier, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 47

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 26** - Representative Wagoner moved **SB 26** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, MacDonald, Manzella, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond,

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 5, 2015

Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 87

Nays: B. Brown, Cook, Harris, Lamm, Lynch, Mandeville, McCarthy, Olsen, Pinocci, Schwaderer, Tropila, Welborn, Zolnikov.

Total 13

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion Carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Woods moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Schwaderer.

Total 1

Excused: Clark, Garner, Monforton.

Total 3

Absent or not voting: Funk, Hayman.

Total 2

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 5, 2015

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 166** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 56

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Excused: Clark, Monforton.  
Total 2

Absent or not voting: Custer.  
Total 1

**HB 169** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 57

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Excused: Clark, Monforton.  
Total 2



HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 5, 2015

Absent or not voting: None.

Total 0

**HB 250** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Perry, Person, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 66

Nays: B. Bennett, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hunter, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Olsen, Pease-Lopez, Peppers, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson.

Total 32

Excused: Clark, Monforton.

Total 2

Absent or not voting: None.

Total 0

**HB 285** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Excused: Clark, Monforton.

Total 2

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 5, 2015

Absent or not voting: None.

Total 0

**HB 299** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Meyers, Miller, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 55

Nays: B. Bennett, Z. Brown, Court, Cuffe, Curdy, Dudik, Dunwell, Eck, Ellis, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 43

Excused: Clark, Monforton.

Total 2

Absent or not voting: None.

Total 0

**SB 10** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 5, 2015

Excused: Clark, Monforton.

Total 2

Absent or not voting: None.

Total 0

**SB 11** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Excused: Clark, Monforton.

Total 2

Absent or not voting: None.

Total 0

**SB 15** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 96

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 5, 2015

Nays: Schwaderer, White.

Total 2

Excused: Clark, Monforton.

Total 2

Absent or not voting: None.

Total 0

**SB 70** concurred in as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Wilson, Woods, Mr. Speaker.

Total 81

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Cook, Cuffe, Hess, Lamm, Mandeville, Manzella, Pinocci, Wagoner, White, Williams, Wittich, Zolnikov.

Total 17

Excused: Clark, Monforton.

Total 2

Absent or not voting: None.

Total 0

**SB 71** concurred in as follows:

Yeas: B. Bennett, Berry, Z. Brown, Burnett, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Zolnikov.

Total 58

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Cook, Cuffe, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Jones, Lamm, Lang,

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 5, 2015

Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Mortensen, Osmundson, Pinocci, Randall, Regier, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Mr. Speaker.

Total 40

Excused: Clark, Monforton.

Total 2

Absent or not voting: None.

Total 0

**SB 75** concurred in as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, Garner, Greef, Hagstrom, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Moore, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Mr. Speaker.

Total 65

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Glimm, Harris, Hertz, Hess, Lamm, Mandeville, Manzella, Meyers, Miller, Mortensen, Olszewski, Randall, Redfield, Regier, Schwaderer, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov.

Total 33

Excused: Clark, Monforton.

Total 2

Absent or not voting: None.

Total 0

**SB 98** concurred in as follows:

Yeas: B. Bennett, Berry, Z. Brown, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Funk, Garner, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 60

HOUSE JOURNAL  
TWENTY-SIXTH LEGISLATIVE DAY - FEBRUARY 5, 2015

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Ehli, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Lamm, Lang, Laszloffy, Lavin, Manzella, McKamey, Meyers, Miller, Pinocci, Randall, Redfield, Regier, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 38

Excused: Clark, Monforton.

Total 2

Absent or not voting: None.

Total 0

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Friday, February 6, 2015.  
Motion carried.

House adjourned at 2:43 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
TWENTY-SEVENTH LEGISLATIVE DAY**

Helena, Montana  
February 6, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Schwaderer. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

**BILLS** (Welborn, Chair):

2/6/2015

Correctly printed: **HB 28, HB 87, HB 111, HB 287, HB 331, HB 372, SB 1, SB 6, SB 16, SB 19, SB 27, SB 46, SB 50, SB 59, SB 62, SB 65, SB 78, SB 95.**

Correctly engrossed: **HB 89, HB 119, HB 213, HB 235, HB 259, HB 262, HB 274, HB 342, HJR 8, SB 51.**

Correctly enrolled: **HB 65, HB 109, HB 121.**

Examined by the sponsor and found to be correct: **HB 32, HB 82, HB 108.**

Transmitted to the Senate: **HB 166, HB 169, HB 250, HB 285, HB 299, SB 10, SB 11, SB 15, SB 70, SB 71, SB 75, SB 98.**

Signed by the Speaker at 3:45 p.m., February 6, 2015: **HB 32, HB 82, HB 108.**

Signed by the Chief Clerk of the House at 3:55 p.m., February 6, 2015: **HB 32, HB 82, HB 108.**

Delivered to the Governor for approval at 11:00 a.m., February 6, 2015: **HB 63.**

**REPORTS OF STANDING COMMITTEES**

**AGRICULTURE** (Redfield, Chair):

2/5/2015

**SB 19**, be concurred in. Report adopted.

**SB 62**, be concurred in. Report adopted.

**SB 78**, be concurred in. Report adopted.

**APPROPRIATIONS** (Ballance, Chair):

2/5/2015

**HB 28**, do pass. Report adopted.

**HB 87**, do pass. Report adopted.

**HB 111**, do pass. Report adopted.

**BUSINESS AND LABOR** (Berry, Chair):

2/5/2015

**HB 259**, introduced bill, be amended as follows:

1. Page 2, line 1.

**Following:** "(2)"

**Insert:** "(a)"

**Strike:** "A"

**Insert:** "Except as provided in subsection (2)(b), a"

HOUSE JOURNAL  
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 6, 2015

2. Page 2.

**Following:** line 6

**Insert:** "(b) A dealer may offer for sale or may sell or exchange a vehicle without having the assigned certificate of ownership, certificate of title, or manufacturer's certificate of origin if:

(i) the dealer has applied for the title as provided in Title 61, chapter 3, part 2; or

(ii) the vehicle is financed by the dealer as inventory through a financial institution, the financial institution holds the certificate of ownership, certificate of title, or manufacturer's certificate of origin as collateral, and the dealer has a readily accessible photocopy, electronic copy, or digital copy of the certificate of ownership, certificate of title, or manufacturer's certificate of origin."

And, as amended, do pass. Report adopted.

**FISH, WILDLIFE AND PARKS** (Flynn, Chair):  
**SB 46**, be concurred in. Report adopted.

2/5/2015

**JUDICIARY** (Bennett, Chair):  
**HB 89**, introduced bill, be amended as follows:

2/6/2015

1. Page 2, line 11.

**Strike:** "or"

**Following:** "4"

**Insert:** ", or section 5"

2. Page 3, line 24.

**Following:** "(b)"

**Insert:** "recruits, transports, transfers, harbors, receives, provides, obtains by any means, isolates, entices,"

**Following:** "maintains"

**Insert:** ", "

**Following:** "of"

**Strike:** "engaging the child in"

3. Page 4, line 5.

**Following:** "with"

**Insert:** ": (a)"

4. Page 4, line 6.

**Following:** "servitude"

**Insert:** "; or

(b) a child"

5. Page 4, line 15.

**Strike:** "or"



HOUSE JOURNAL  
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 6, 2015

**Following:** "4"

**Insert:** ", or section 5"

6. Page 4, line 19.

**Strike:** "or"

**Following:** "4"

**Insert:** ", or section 5"

7. Page 4, line 29.

**Strike:** "or"

**Following:** "4"

**Insert:** ", or section 5"

8. Page 7, line 5.

**Strike:** "or"

**Following:** "4"

**Insert:** ", or section 5"

9. Page 7, line 19.

**Following:** "state,"

**Insert:** "including compensation under Title 53, chapter 9, part 1,"

**Following:** "status"

**Insert:** "or factors described in 53-9-125"

And, as amended, do pass. Report adopted.

**HB 274**, introduced bill, be amended as follows:

1. Title, page 1, line 7.

**Following:** "SEIZE"

**Insert:** "IF REQUIRED BY THE SHERIFF"

2. Title, page 1, line 9.

**Following:** "VIOLATIONS"

**Insert:** "IN CERTAIN CASES"

3. Page 2, line 15.

**Following:** ";

**Strike:** "or"

4. Page 2, line 18.

**Following:** "seizure"

**Insert:** "; or

(f) the sheriff has not invoked the authority of this section pursuant to subsection (6)"

HOUSE JOURNAL  
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 6, 2015

5. Page 3, line 12.

**Insert:** "(6)(a) At the sheriff's discretion, a sheriff may elect not to implement the provisions of this section or may elect to implement the provisions of this section for one or more specifically identified federal employees, all federal employees of a specified federal agency, or all federal employees. If a sheriff elects to implement the provisions of this section, the sheriff must provide notice to the affected federal employees as follows:

(i) in person by verbal notice to the affected federal employee; or

(ii) in writing by certified mail to the United States attorney for the district of Montana.

(b) If notice is provided in person to the affected federal employee, the sheriff shall file the notice with the appropriate dispatch service as soon as practicable. The notice is effective immediately and continues until the sheriff revokes the notice.

(c) If notice is provided to the United States attorney for the district of Montana, the notice is effective 1 week after the notice is postmarked and continues until the sheriff revokes the notice."

6. Page 3, line 14.

**Strike:** "must"

**Insert:** "may"

7. Page 3, line 17.

**Strike:** "must"

**Insert:** "may"

8. Page 3, line 20.

**Strike:** "shall"

**Insert:** "may"

9. Page 3, line 21 through line 22.

**Following:** "of the sheriff"

**Strike:** ", and failure to prosecute subjects the county attorney to recall by the voters and to prosecution by the attorney general for official misconduct"

And, as amended, do pass. Report adopted.

**SB 50**, be concurred in. Report adopted.

**SB 59**, be concurred in. Report adopted.

**STATE ADMINISTRATION** (Essmann, Chair):

2/6/2015

**HB 331**, do pass. Report adopted.

**HB 342**, introduced bill, be amended as follows:

1. Title, page 1, line 8.

**Strike:** "SECTIONS 13-1-210 AND"

**Insert:** "SECTION"

HOUSE JOURNAL  
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 6, 2015

2. Page 1, line 12 through line 24.

**Strike:** section 1 in its entirety

**Renumber:** subsequent sections

And, as amended, do pass. Report adopted.

**HB 372**, do pass. Report adopted.

**HJR 8**, be adopted. Report adopted.

**SB 1**, be concurred in. Report adopted.

**SB 16**, be concurred in. Report adopted.

**SB 27**, be concurred in. Report adopted.

**SB 65**, be concurred in. Report adopted.

**STATE ADMINISTRATION** (Essmann, Chair):

2/6/2015

**HB 58**, do not pass.

Minority Leader Hunter rose on a **Point of Procedure** stating that an Adverse Committee Report has been read across the rostrum for the first time in his tenure as a legislator. He expressed disappointment that the Adverse Committee Report was being used and questioned the constitutionality of the rule. Minority Leader Hunter requested clarification on what will be the process for handling the Adverse Committee Report.

Speaker Knudsen explained that the Rules allow, specifically in H 40-100, for a committee to report a bill from committee with either a Do Pass recommendation or a Do Not Pass recommendation. The Rules applying to the Adverse Committee Report have been in the Rules since 1989. It has been used more than 50 times and the constitutionality of the rule has never been challenged. A motion to reject an Adverse Committee Report requires a 3/5ths vote of the members, present and voting, to pass. Once the report has been read over the rostrum, it is then put on Order of Business #2 the following day.

**TAXATION** (Miller, Chair):

2/6/2015

**HB 213**, introduced bill, be amended as follows:

1. Title, page 1, line 5.

**Following:** "EXEMPTION;"

**Insert:** "PROVIDING A REIMBURSEMENT TO LOCAL GOVERNMENTS AND TAX INCREMENT FINANCING DISTRICTS UNDER THE ENTITLEMENT SHARE PAYMENT, TO SCHOOL DISTRICTS THROUGH THE BLOCK GRANT PROGRAM, TO THE COUNTY SCHOOL RETIREMENT FUND AND THE COUNTY TRANSPORTATION REIMBURSEMENT, AND TO THE MONTANA UNIVERSITY SYSTEM FOR THE LOSS OF CLASS EIGHT AND CLASS TWELVE PROPERTY TAX REVENUE;"

**Strike:** "SECTION"

**Insert:** "SECTIONS 15-1-123 AND"

HOUSE JOURNAL  
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 6, 2015

2. Page 1, line 8.

**Insert: "Section 1.** Section 15-1-123, MCA, is amended to read:

**"15-1-123. Reimbursement for class eight rate reduction and exemption -- distribution -- appropriations.** (1) For the ~~tax rate reductions in 15-6-138(3), the increased exemption amount in 15-6-138(4), the effective tax rate reductions on property under 15-6-145 because of the rate reductions required by the amendments of 15-6-138 in section 2, Chapter 411, Laws of 2011, and section 2, Chapter 396, Laws of 2013; and the effective tax rate reductions on property under 15-6-145 because of the increased exemption amount required by the amendment of 15-6-138 in section 2, Chapter 396, Laws of 2013~~ [section 2 of House Bill No. 213], the department shall for the fiscal years ending June 30, ~~2014~~ 2016, and June 30, ~~2015~~ 2017, estimate for each local government, as defined in 15-1-121(5), each school district, the county retirement fund under 20-9-501, the countywide school transportation reimbursement under 20-10-146, each tax increment financing district, and the 6-mill university levy for the purposes of 15-10-108 the difference between property tax collections under 15-6-138 as amended by ~~section 2, Chapter 411, Laws of 2011, and section 2, Chapter 396, Laws of 2013;~~ [section 2 of House Bill No. 213] and under 15-6-145 and the property tax revenue that would have been collected under 15-6-138 and 15-6-145 if 15-6-138 had not been amended by ~~section 2, Chapter 411, Laws of 2011, and section 2, Chapter 396, Laws of 2013~~ [section 2 of House Bill No. 213]. The difference is the annual reimbursable amount for each local government, each school district, each tax increment financing district, and the 6-mill levy for the support of the Montana university system under 15-10-108.

(2) (a) The department shall distribute the reimbursements calculated in subsection (1) to local governments with the entitlement share payments under 15-1-121(7) for the fiscal year ending June 30, ~~2015~~ 2017. Local government reimbursements for subsequent years are made pursuant to the entitlement share recomputation as provided in 15-1-121(6).

(b) For the fiscal year ending June 30, ~~2014~~ 2016, the department shall determine from the amount calculated under subsection (1) the amount that is attributable to personal property taxes that are not a lien on real property for each local government. By June 15, ~~2014~~ 2016, the department shall distribute the amount determined under this subsection (2)(b) for local governments as provided in 15-1-121(6)(a).

(3) (a) The office of public instruction shall distribute the reimbursements calculated in subsection (1) to school districts with the block grants pursuant to 20-9-630 for the fiscal year ending June 30, ~~2015~~ 2017. School district reimbursements for subsequent fiscal years are made pursuant to 20-9-630.

(b) For the fiscal year ending June 30, ~~2014~~ 2016, the department shall determine from the amount calculated under subsection (1) the amount that is attributable to personal property taxes that are not a lien on real property for each school district. By November 30, ~~2014~~ 2016, the office of public instruction shall distribute the amount determined under this subsection (3)(b) in the same manner as the block grant is distributed by fund under 20-9-630.

(4) (a) For the fiscal year ending June 30, ~~2015~~ 2017, the amount determined under subsection (1) for each tax increment financing district must be added to the reimbursement amount for the tax increment financing district as provided in 15-1-121(8)(b) if the tax increment financing district is still in existence. If a tax increment financing district that is entitled to a reimbursement under this section is not listed under 15-1-121(8)(b), the reimbursement must be made to that tax increment financing district at the same time as other districts.

(b) For the fiscal year ending June 30, ~~2014~~ 2016, the department shall determine from the

HOUSE JOURNAL  
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 6, 2015

amount calculated under subsection (1) the amount that is attributable to personal property taxes that are not a lien on real property for each tax increment financing district. By June 15, ~~2014~~ 2016, the department shall distribute the amount determined under this subsection (4)(b) to each tax increment financing district as provided in 15-1-121(8) and to any other tax increment financing district that is entitled to a reimbursement under this section.

(5) (a) For the fiscal year ending June 30, ~~2015~~ 2017, the amount determined under subsection (1) for the 6-mill university levy must be added to current collections and reimbursements for the support of the Montana university system as provided in 15-10-108.

(b) For the fiscal year ending June 30, ~~2014~~ 2016, the department shall determine from the amount calculated under subsection (1) the amount that is attributable to personal property taxes that are not a lien on real property for the 6-mill university levy. By June 15, ~~2014~~ 2016, the department of administration shall transfer the amount determined under this subsection (5)(b) from the general fund to the state special revenue fund for the support of the Montana university system as provided in 15-10-108.

(c) Beginning in fiscal year ~~2013~~ 2015, the department of administration shall transfer the amounts determined under this subsection (5) from the general fund to the state special revenue fund for the support of the Montana university system as provided in 15-10-108.

(6) (a) The office of public instruction shall distribute the reimbursements calculated in subsection (1) to the countywide retirement fund under 20-9-501 for the fiscal year ending June 30, ~~2015~~ 2017. One-half of the amount must be distributed in November and the remainder in May.

(b) For the fiscal year ending June 30, ~~2014~~ 2016, the department shall determine from the amount calculated under subsection (1) the amount that is attributable to personal property taxes that are not a lien on real property in the county. By November 30, ~~2014~~ 2016, the office of public instruction shall distribute the amount determined under this subsection (6)(b) to the countywide retirement fund.

(7) (a) The office of public instruction shall distribute the reimbursements calculated in subsection (1) to the county transportation reimbursement under 20-10-146 for the fiscal year ending June 30, ~~2015~~ 2017. The reimbursement must be made at the same time as countywide school transportation block grants are distributed under 20-9-632.

(b) For the fiscal year ending June 30, ~~2014~~ 2016, the department shall determine from the amount calculated under subsection (1) the amount that is attributable to personal property taxes that are not a lien on real property in the county. By November 30, ~~2014~~ 2016, the office of public instruction shall distribute the amount determined under this subsection (7)(b) to the county transportation reimbursement."

**Renumber:** subsequent sections

And, as amended, do pass. Report adopted.

**HB 235**, do pass. Report adopted.

**HB 262**, introduced bill, be amended as follows:

1. Title, page 1, line 5.

**Strike:** "THE RATE OF"

**Insert:** "A RATE OF UP TO"

HOUSE JOURNAL  
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 6, 2015

2. Title, page 1, line 6.

**Following:** "PRESERVATION"

**Insert:** "OR WORKFORCE HOUSING"

**Following:** "SECTIONS"

**Insert:** "7-6-1501,"

**Following:** "7-6-1503"

**Insert:** ", "

3. Page 1, line 9.

**Insert:** "**Section 1.** Section 7-6-1501, MCA, is amended to read:

**"7-6-1501. Resort tax -- definitions.** As used in 7-6-1501 through 7-6-1509, the following definitions apply:

(1) "Luxuries" means any gift item, luxury item, or other item normally sold to the public or to transient visitors or tourists. The term does not include food purchased unprepared or unserved, medicine, medical supplies and services, appliances, hardware supplies and tools, or any necessities of life.

(2) "Medical supplies" means items that are sold to be used for curative, prosthetic, or medical maintenance purposes, whether or not prescribed by a physician.

(3) "Medicine" means substances sold for curative or remedial properties, including both physician prescribed and over-the-counter medications.

(4) "Resort area" means an area that:

(a) is an unincorporated area and is a defined contiguous geographic area;

(b) has a population of less than 2,500 according to the most recent federal census;

(c) derives the major portion of its economic well-being from businesses catering to the recreational and personal needs of persons traveling to or through the area for purposes not related to their income production; and

(d) has been designated by the department of commerce as a resort area prior to its establishment by the county commissioners as provided in 7-6-1508.

(5) "Resort community" means a community that:

(a) is an incorporated municipality;

(b) has a population of less than 5,500 according to the most recent federal census;

(c) derives the primary portion of its economic well-being related to current employment from businesses catering to the recreational and personal needs of persons traveling to or through the municipality for purposes not related to their income production; and

(d) has been designated by the department of commerce as a resort community.

(6) "Workforce housing" means affordable housing for households with earned income that is insufficient to secure quality housing in reasonable proximity to the workplace."

**Renumber:** subsequent sections

4. Page 1, line 15.

**Strike:** "at the rate of"

**Insert:** "at a rate of up to"

HOUSE JOURNAL  
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 6, 2015

5. Page 2, line 15.

**Following:** "buildings"

**Insert:** "or workforce housing"

And, as amended, do pass. Report adopted.

**HB 287**, do pass. Report adopted.

**SB 6**, be concurred in. Report adopted.

**SB 51**, be amended as follows:

1. Page 5, line 27.

**Following:** "part 1."

**Insert:** "The written request must include an authorized release form signed by the taxpayer."

And, as amended, be concurred in. Report adopted.

**SB 95**, be concurred in. Report adopted.

**MESSAGES FROM THE SENATE**

**House bills** concurred in and returned to the House:

2/4/2015

**HB 32**, introduced by Wagoner

**HB 82**, introduced by Hertz

**HB 108**, introduced by Salomon

**Senate bills** passed and transmitted to the House for concurrence:

2/4/2015

**SB 89**, introduced by Brenden

**SB 128**, introduced by Hansen

**SB 140**, introduced by L. Jones

**SB 150**, introduced by Windy Boy

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 413**, introduced by C. Hunter, B. Tutvedt, referred to Business and Labor.

**HB 414**, introduced by M. Lang, referred to Transportation.

**HB 415**, introduced by F. Garner, referred to Transportation.

**HB 416**, introduced by R. Mehlhoff, D. Ankney, E. Buttrey, M. Caferro, W. Curdy, M. Dunwell, J. Ellis, S. Fitzpatrick, M. Funk, B. Hamlett, R. Hollandsworth, C. Hunter, T. Jacobson, J. Keane, C. Larsen, E. Lieser, K. McCarthy, E. McClafferty, W. McKamey, M. Moe, P. Noonan, R. Peppers, G. Pierson, J. Price, C. Schreiner, M. Tropila, G. Vuckovich, J. Windy Boy, referred to Taxation.

**HB 417**, introduced by T. Jacobson, E. McClafferty, R. Mehlhoff, referred to Taxation.

HOUSE JOURNAL  
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 6, 2015

**HB 418**, introduced by M. Dunwell, E. Hill, N. McConnell, C. Pope, J. Price, referred to State Administration.

**HB 419**, introduced by S. Fitzpatrick, referred to State Administration.

**HB 420**, introduced by M. Dunwell, Dick Barrett, S. Malek, E. McClafferty, Z. Perry, C. Pope, J. Price, C. Kaufmann, referred to Taxation.

**HB 421**, introduced by T. Berry, referred to Taxation.

**HB 422**, introduced by R. Ehli, referred to Human Services.

**HB 423**, introduced by S. Staffanson, referred to Education.

**HB 424**, introduced by M. Monforton, referred to Judiciary.

**HB 425**, introduced by M. Monforton, referred to Judiciary.

**HB 426**, introduced by M. Monforton, referred to Judiciary.

The following House joint resolution was introduced, read first time, and referred to committee:

**HJR 13**, introduced by K. White, G. Bennett, R. Brodehl, B. Brown, J. Essmann, F. Garner, B. Harris, S. Hess, T. Jacobson, D. Jones, D. Lamm, F. Mandeville, T. Manzella, D. Mortensen, M. Noland, G. Pierson, A. Redfield, B. Smith, J. Welborn, D. Zolnikov, referred to Natural Resources.

The following Senate bills were introduced, read first time, and referred to committees:

**SB 89**, introduced by J. Brenden, referred to State Administration.

**SB 128**, introduced by K. Hansen, M. MacDonald, referred to Education.

**SB 140**, introduced by L. Jones, referred to Appropriations.

**SB 150**, introduced by J. Windy Boy, D. Kary, J. Keane, M. Lang, R. Lynch, E. McClafferty, R. Peppers, B. Smith, S. Stewart-Peregoy, G. Vuckovich, J. Welborn, referred to Federal Relations, Energy, and Telecommunications.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion Carried. Representative Wittich in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 191** - Representative Eck moved **HB 191** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, B. Brown, Z. Brown, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff,



HOUSE JOURNAL  
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 6, 2015

Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Brodehl, Burnett, Cuffe, Ehli, Regier.

Total 5

Excused: None.

Total 0

Absent or not voting: Meyers.

Total 1

**HB 200** - Representative Pinocci moved **HB 200** do pass.

**HB 200** - Representative Brodehl moved for cloture. Motion Carried. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 57

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 43

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier rose on a **Point of Personal Privilege**. He said "much is said about super majority verses a simple majority". Majority Leader Regier just wanted to point out it was the minority party that used a super majority to prevent cloture today. The House rules do work for all of us.

HOUSE JOURNAL  
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 6, 2015

Minority Leader Hunter rose on a **Point of Personal Privilege**. He stated that there is a profound difference between procedural motions limiting debate and a super majority requirement that does not comport with our specific constitutional requirement that a simple majority be required to enact legislation.

**HB 200** - Representative Pinocci moved **HB 200** do pass. Motion Carried. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 56

Nays: B. Bennett, Z. Brown, Court, Cuffe, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hess, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 44

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 280** - Representative Essmann moved **HB 280** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 93

Nays: B. Bennett, Brodehl, Glimm, McConnell, Miller, Randall, Zolnikov.

Total 7

HOUSE JOURNAL  
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 6, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 123** - Representative D. Jones moved **HB 123** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 91

Nays: J. Bennett, Cook, Doane, Dudik, Fitzpatrick, Hertz, Monforton, Welborn, Zolnikov.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 302** - Representative Mandeville moved **HB 302** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 42

HOUSE JOURNAL  
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 6, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 290** - Representative White moved **HB 290** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 57

Nays: B. Bennett, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 43

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 226** - Representative Richmond moved **HB 226** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Cuffe, Peppers, Smith, Tropila.

Total 4

HOUSE JOURNAL  
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 6, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion Carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Wittich moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Kelker, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 40

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 101** passed as follows:

Yeas: B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Funk, Garner, Greef, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff,

HOUSE JOURNAL  
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 6, 2015

Meyers, Monforton, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon,

Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 77

Nays: Ballance, J. Bennett, Brodehl, Burnett, Cook, Cuffe, Doane, Fitzpatrick, Flynn, Glimm, Hagstrom, Hertz, Jones, Laszloffy, Manzella, Miller, Mortensen, Noland, Randall, Staffanson, Tschida, Welborn, Zolnikov.

Total 23

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 194** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Williams, Wittich, Zolnikov, Mr. Speaker.

Total 90

Nays: Ellis, Funk, Hayman, Olsen, Pease-Lopez, Peppers, Smith, Tropila, Wilson, Woods.

Total 10

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 251** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill,

HOUSE JOURNAL  
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 6, 2015

Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Doane, McConnell, Schwaderer, White.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 258** passed as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Hayman, Hill, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Zolnikov.

Total 54

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Richmond, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Mr. Speaker.

Total 46

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 260** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Funk, Garner, Greef,

HOUSE JOURNAL  
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 6, 2015

Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 86

Nays: Berglee, Cuffe, Doane, Ehli, Fitzpatrick, Flynn, Glimm, Hess, Monforton, Noland, Schwaderer, Tschida, Wittich, Zolnikov.

Total 14

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 288** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Tschida, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Williams, Wilson, Woods.

Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0



HOUSE JOURNAL  
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 6, 2015

**HB 295** passed as follows:

Yeas: B. Bennett, Berry, Z. Brown, Cook, Court, Cuffe, Curdy, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 56

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Clark, Custer, Doane, Ehli, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Miller, Monforton, Mortensen, Noland, Osmundson, Pinocci, Randall, Redfield, Regier, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 44

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 26** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, MacDonald, Manzella, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 88

Nays: B. Brown, Cook, Harris, Lamm, Lynch, Mandeville, McCarthy, Olsen, Schwaderer, Tropila, White, Zolnikov.

Total 12

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 6, 2015

**MOTIONS**

Majority Leader Regier moved **HB 123** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **HB 191** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **HB 200** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **HB 290** be moved from the Committee of the Whole to the Appropriations Committee.

**SPECIAL ORDERS OF THE DAY**

Representative Welborn introduced the Dillon Junior Fiddlers, they performed and were given Honorary Membership Certificates to the House of Representatives.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 8:00 a.m., Saturday, February 7, 2015. Motion carried.

House adjourned at 2:40 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
TWENTY-EIGHTH LEGISLATIVE DAY**

Helena, Montana  
February 7, 2015

House Chambers  
State Capitol

House convened at 8:00 a.m. Mr. Speaker presiding. Invocation by Representative B. Brown. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Berglee and Ricci, excused. Quorum present.

Majority Leader Regier announced that the Republicans would caucus.  
Minority Leader Hunter announced that the Democrats would caucus.

**BILLS** (Welborn, Chair):

2/7/2015

Correctly engrossed: **HB 270**.

Correctly enrolled: **HB 125**.

Transmitted to the Senate: **HB 101, HB 194, HB 251, HB 258, HB 260, HB 288, HB 295, SB 26**.

Signed by the President at 9:30 a.m., February 7, 2015: **HB 32, HB 82, HB 108**.

**REPORTS OF STANDING COMMITTEES**

**NATURAL RESOURCES** (White, Chair):

2/6/2015

**HB 270**, do pass. Report adopted.

**ADVERSE COMMITTEE REPORT**

**STATE ADMINISTRATION** (Essmann, Chair):

2/6/2015

During the Reports of Standing Committees in the previous day's Floor Session, a Do Not Pass recommendation Committee Report was read (HB 58), also known as an Adverse Committee Report. According to Rule H40-100, a motion to reject Do Not Pass Committee Report may be debated on the floor.

Minority Leader Hunter rose to object to the use of Adverse Committee Reports and made a substitute motion to reject the report. He stated that he believes the Adverse Committee Report rule is unconstitutional, because it requires a 3/5 vote to overturn the "do not pass" recommendation of the committee while our Constitution only requires a simple majority to enact legislation. He quoted Article V of the State Constitution, referred to the State Supreme Court decision in *State ex rel Judge* case, and read from section 518 of Mason's Manual of Legislative Procedure. He concluded by stating that our Constitution clearly calls for a standard of majority rule in passing legislation, and that the Adverse Committee Report violates that fundamental tenet of our representative democracy.

HOUSE JOURNAL  
TWENTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 7, 2015

Representative Essmann rose in support of the Adverse Committee Report stating that it is both Constitutional and follows the Rules of the Montana Legislature Section H40-100. He stated that Article V Section 10 of the Montana Constitution included the following statement "Each house shall choose its officers from among its members, keep a journal, and have rules for its proceedings." He stated that as an equal branch of the government the Supreme Court has no more business inserting itself into our internal proceedings than the Legislature has inserting itself into the internal proceedings of the Montana Supreme Court. Representative Essmann reminded the body that a version of House Rule 40-100 had been adopted under Chairman Vincent in the 1989 Session and no constitutional challenge to the rule has ever been raised.

Minority Leader Hunter made the substitute motion that the Adverse Committee Report for **HB 58** be rejected. Motion failed as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 59  
Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**MESSAGES FROM THE SENATE**

**Senate bills** passed and transmitted to the House for concurrence:

2/5/2015

**SB 74**, introduced by Moe  
**SB 143**, introduced by C. Smith  
**SB 144**, introduced by Buttrey

HOUSE JOURNAL  
TWENTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 7, 2015

**House bills** concurred in and returned to the House:

2/5/2015

**HB 65**, introduced by Funk

**HB 109**, introduced by Salomon

**HB 121**, introduced by Karjala

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 427**, introduced by B. Brown, referred to Judiciary.

**HB 428**, introduced by M. MacDonald, referred to Transportation.

**HB 429**, introduced by E. Hill, A. Olszewski, A. Wittich, referred to Human Services.

**HB 431**, introduced by M. Dunwell, referred to State Administration.

**HB 432**, introduced by T. Jacobson, referred to Fish, Wildlife and Parks.

**HB 433**, introduced by S. Berglee, G. Bennett, C. Fiscus, S. Hess, F. Mandeville, W. McKamey, D. Mortensen, K. Regier, C. Smith, referred to Education.

**HB 434**, introduced by E. Lieser, referred to Natural Resources.

The following House joint resolutions were introduced, read first time, and referred to committee:

**HJR 14**, introduced by F. Garner, referred to State Administration.

**HJR 15**, introduced by M. Tropila, E. Buttrey, G. Kipp, G. Meyers, C. Pease-Lopez, R. Peppers, B. Smith, S. Stewart-Peregoy, S. Webber, L. Whitford, J. Windy Boy, referred to Federal Relations, Energy, and Telecommunications.

The following Senate bills were introduced, read first time, and referred to committees:

**SB 74**, introduced by M. Moe (by request of the Public Employees' Retirement Board), referred to State Administration.

**SB 143**, introduced by C. Smith, N. Ballance, G. Bennett, S. Berglee, M. Blasdel, J. Brenden, R. Brodehl, B. Brown, A. Doane, C. Glimm, E. Greef, K. Hansen, G. Hertz, S. Hess, J. Hinkle, D. Howard, D. Jones, D. Kary, B. Keenan, A. Knudsen, D. Lamm, M. Lang, S. Laszloffy, S. Lavin, F. Mandeville, T. Manzella, W. McKamey, M. Miller, M. Monforton, F. Moore, D. Mortensen, A. Olszewski, R. Osmundson, R. Pinocci, L. Randall, A. Redfield, K. Regier, V. Ricci, T. Richmond, R. Ripley, M. Rosendale, N. Schwaderer, S. Staffanson, N. Swandal, J. Taylor, B. Tschida, G. Vance, C. Vincent, R. Webb, D. Zolnikov, referred to Judiciary.

**SB 144**, introduced by E. Buttrey, referred to State Administration.

HOUSE JOURNAL  
TWENTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 7, 2015

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion Carried. Representative Randall in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 324** - Representative Welborn moved **HB 324** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 196** - Representative Webber moved **HB 196** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Harris, Hayman, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 88

HOUSE JOURNAL  
TWENTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 7, 2015

Nays: J. Bennett, B. Brown, Burnett, Glimm, Hagstrom, Hess, Holmlund, Laszloffy, Monforton, Osmundson, Wittich, Zolnikov.

Total 12

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 119** - Representative Berry moved **HB 119** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 90

Nays: J. Bennett, Berglee, B. Brown, Cuffe, Hess, Manzella, Monforton, Mortensen, Wittich, Zolnikov.

Total 10

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 203** - Representative Wittich moved **HB 203** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 55

Nays: B. Bennett, Berry, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Garner, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch,

HOUSE JOURNAL  
TWENTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 7, 2015

MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 45

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 229** - Representative Zolnikov moved **HB 229** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Doane, Dunwell, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Steenberg, Tropila, Tschida, Wagoner, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 84

Nays: Custer, Dudik, Eck, Hayman, Jacobson, Lieser, McClafferty, Miller, Moore, Peppers, Pierson, Schreiner, Shaw, Smith, Swanson, Webber.

Total 16

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 4** - Representative Olsen moved **SB 4** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Richmond,



HOUSE JOURNAL  
TWENTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 7, 2015

Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 88

Nays: Brodehl, Cook, Doane, Glimm, Lamm, Laszloffy, Manzella, Mortensen, Ricci, Wagoner, White, Wittich.  
Total 12

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 5** - Representative Salomon moved **SB 5** be concurred in. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Z. Brown, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.  
Total 86

Nays: Ballance, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Glimm, Manzella, Noland, Peppers, Tschida, Welborn, Zolnikov.  
Total 14

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 29** - Representative Essmann moved **SB 29** be concurred in. Motion **failed** as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Dudik, Eck, Ellis, Essmann, Funk, Hayman, Hertz, Hill, Hollandsworth, Hunter, Karjala, Kelker, Lieser, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Monforton, Moore, Noonan, Olsen, Pease-Lopez, Person, Pope, Price, Ricci, Salomon, Schreiner, Smith, Steenberg, Swanson, Webber, Williams, Wilson.  
Total 42

HOUSE JOURNAL  
TWENTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 7, 2015

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Custer, Doane, Dunwell, Ehli, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hess, Holmlund, Jacobson, Jones, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, Meyers, Miller, Mortensen, Noland, Olszewski, Osmundson, Peppers, Perry, Pierson, Pinocci, Randall, Redfield, Regier, Richmond, Schwaderer, Shaw, Staffanson, Tropila, Tschida, Wagoner, Welborn, White, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 58

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 35** - Representative Pope moved **SB 35** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Clark, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 85

Nays: J. Bennett, Brodehl, B. Brown, Burnett, Cook, Cuffe, Ehli, Glimm, Harris, Hess, Jones, Lamm, Pinocci, Tschida, Welborn.

Total 15

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 36** - Representative Steenberg moved **SB 36** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person,

HOUSE JOURNAL  
TWENTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 7, 2015

Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 87

Nays: Brodehl, B. Brown, Cook, Cuffe, Glimm, Jones, Lamm, Manzella, Monforton, Olszewski, Tschida, Wittich, Zolnikov.

Total 13

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion Carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Randall moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Peppers, Perry, Person, Pinocci, Pope, Price, Randall, Redfield, Regier, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 83

Nays: B. Bennett, Court, Curdy, Dudik, Hunter, McCarthy, McConnell, Noonan, Olsen, Pease-Lopez, Pierson, Smith, Williams, Wilson, Woods.

Total 15

Excused: Ricci.

Total 1

Absent or not voting: Greef.

Total 1

HOUSE JOURNAL  
TWENTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 7, 2015

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 28** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Excused: Ricci.

Total 1

Absent or not voting: Manzella.

Total 1

**HB 87** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Webber, Williams, Wilson, Woods, Mr. Speaker.

Total 75

Nays: J. Bennett, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Fitzpatrick, Glimm, Harris, Hertz, Lamm, Manzella, Monforton, Mortensen, Noland, Schwaderer, Tropila, Wagoner, Welborn, White, Wittich, Zolnikov.

Total 24

HOUSE JOURNAL  
TWENTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 7, 2015

Excused: Ricci.  
Total 1

Absent or not voting: None.  
Total 0

**HB 111** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 99

Nays: None.  
Total 0

Excused: Ricci.  
Total 1

Absent or not voting: None.  
Total 0

**HB 226** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 95

Nays: Court, Cuffe, Hess, Tropila.  
Total 4

HOUSE JOURNAL  
TWENTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 7, 2015

Excused: Ricci.

Total 1

Absent or not voting: None.

Total 0

**HB 280** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 89

Nays: Berry, Brodehl, B. Brown, Glimm, Lamm, Meyers, Randall, Schwaderer, Zolnikov.

Total 9

Excused: Ricci.

Total 1

Absent or not voting: Miller.

Total 1

**HB 302** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Richmond, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 55

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 44

HOUSE JOURNAL  
TWENTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 7, 2015

Excused: Ricci.  
Total 1

Absent or not voting: None.  
Total 0

**MOTIONS**

Majority Leader Regier moved **HB 196** be moved from the Committee of the Whole to the Appropriations Committee.

**SPECIAL ORDERS OF THE DAY**

Representative McClafferty thanked the pages for their service

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Monday, February 9, 2015. Motion carried.

House adjourned at 9:30 a.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
TWENTY-NINTH LEGISLATIVE DAY**

Helena, Montana  
February 9, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Kipp III. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

**MOTIONS**

Majority Leader Regier moved the House recess for the purpose of receiving the State of the Tribal Nations address. Upon adjournment of the Joint Session, the House will reconvene. Motion carried.

House in Recess.

Sergeant-at-Arms Lenz notified Speaker Knudsen that the Honorable Senate of the State of Montana awaited entrance to the Chamber.

Speaker Knudsen requested Sergeant-at-Arms Lenz admit the Honorable Senate into the House Chamber.

Speaker Knudsen introduced Senate President Barrett.

Senate Majority Leader Rosendale moved that the body resolve itself into a Joint Session for the purpose of receiving the State of the Tribal Nations address. Motion carried.

Senate Majority Leader Rosendale moved that President Barrett be authorized to appoint a Committee of four to notify Chairman Gerald Gray of the Little Shell Chippewa Tribe that the body was in Joint Session and ready to receive the State of the Tribal Nations Address. Motion carried.

President Barrett appointed Senator Thomas, Senator Whitford, Representative Hess, and Representative Schreiner to escort Chairman Gray into the House Chamber.

Sergeant-at-Arms Spencer announced that the Committee to escort Chairman Gray, awaited entrance to the House.

The Committee escorted Chairman Gray into the Chamber.

President Barrett introduced Chairman Gerald Gray of the Little Shell Chippewa Tribe to the Joint Session.



HOUSE JOURNAL  
TWENTY-NINTH LEGISLATIVE DAY - FEBRUARY 9, 2015

Chairman Gray introduced Everett Armstrong and the Blackfeet Dancers who did the Chicken Dance which commemorates and imitates the Prairie Chicken's dance. The dancer translates the movement of the sage grouse. This bird is held in high spiritual esteem. It is represented in many ceremonial bundles, and Tribal societies are named after it.

Chairman Gray gave the following remarks:

**Welcome**

President Barrett, Speaker Knudsen, Governor/Lt. Governor, Senators, Representatives, Elders, Tribal Leaders, Distinguished Guests, State Officials and my Fellow Citizens,

Aanii, Boozhoo (Hello, Greetings) my name is Gerald Gray, I am the Chairman of the Little Shell Tribe of Montana. As Chairman of the Little Shell Chippewa Indians of Montana, one of the eight Tribal Nations that call Montana home, it is an honor and a privilege to be here today to deliver the State of the Tribal Nations address.

The continued growth of the Indian Nations in Montana has been steady, but we all in this room know it can be much, much stronger. With more collaboration and open dialogue, we can come up with solutions to strengthen our Indian reservations and urban Indian communities, which in turn will only strengthen all of Montana.

As our sovereign Indian Nations continue to preserve and protect our traditional ways, our languages, and our cultures that have enabled our peoples to thrive for thousands of years, we also look toward the future. We are seeking more jobs, more economic opportunities, a thriving economy where no one is left in need and our children and adults have access to the best opportunities that are available to all.

**Little Shell Tribe**

As some of you may know the Little Shell Tribe is a State recognized tribe, which has been fighting for Federal recognition for 130 years, as past Chairman John Gilbert has articulated many times.... "We have been waiting for the day that never comes".. well let me now say.... That day is coming, this will be our year!! We will persevere.

While our tribe's headquarters are located in Great Falls, we have members in many of your communities throughout the entire State of Montana. The Little Shell have the federal support for recognition from Senators Jon Tester and Steve Daines, as well as Congressman Ryan Zinke, in which we have bills in both the Senate and House. Also we are eagerly waiting for the Part 83 rules, which are the amended rules required to be federally recognized, we will then resubmit our petition for federal recognition. We are asking this body to support and pass a House joint resolution 15 supporting our recognition, thank you to Representative Mitch Tropila and Senator Ed Buttrey, for taking up that torch for the Little Shell. So we ask "why do we continue this fight, why is this so important to the Little Shell".... Federal recognition is not a receiving line for federal

HOUSE JOURNAL  
TWENTY-NINTH LEGISLATIVE DAY - FEBRUARY 9, 2015

handouts, for the Little Shell it's the opportunity for the right to self-govern, the right to Tribal sovereignty, and the right for us to work with all of you... government to government.

There are many things that impact Montana's Indian Country, however I would like to address some of the more pressing ones; Economics, Education, and Health.

**Indian Country Economics**

Many Montanans, including some of our Tribal people,, as most of you know, live in poverty and we must continue to work hard everyday to improve those conditions. While Montana's unemployment rate is around 4.5%, the unemployment rates average between 60-80% on our reservations, Montana has the 3rd highest rate of poverty among American Indian/Alaska Natives, behind only North and South Dakota.... we can and must do better. As a legislative body, you play a significant role in helping us get to a better place.

However, today in Montana there are great things happening throughout Indian Country, this spring the Blackfeet nation will begin construction on a new and expanded dialysis treatment facility that will contain state of art technology. They also hope to build a new nursing care facility to replace their aging 45-year-old facility. Fort Belknap is developing its tourism on the Hi-line, with tours of Snake Butte, Mission Canyon and the Yellowstone Buffalo. Fort Peck Tribes are finalizing funding for a new multi-million dollar wellness center for its members. The Crow Nation has broke ground on a veteran's housing complex for their warriors, and is in the process of organizing the Apsaalooke Cattle Company, the Blacklodge District C-Store. West of the divide, the Confederated Salish and Kootenai Tribes have been strategically planning for the last three decades, the purchasing of Kerr Dam, where its tribal enterprise, Energy Keepers, Inc will be providing electricity to the grid for the Pacific Northwest. They are the only tribe to purchase a hydroelectric dam. The Northern Cheyenne Development Corporation has been working since 2013 to re-establish the Cheyenne Depot I (Lame Deer) and Cheyenne Depot II (Ashland), which will provide essential goods and services in those two locations. Chippewa Cree Tribe is in the final stages of cell tower siting for the Rocky Boys Reservation, this is a public-private partnership with Triangle Telephone Cooperative.

Allow me to share with you what the Little Shell Tribe has accomplished as of today. In the past 3 years, our tribe has progressed by leaps and bounds, we now have a cultural center where we can educate people about the Little Shell history and culture, we have an event center for meetings, weddings and funerals and our celebrations; and in 2014 we purchased a 35,000 sq. foot office complex in Great Falls from which we derive income to support other business ventures. This past week we purchased a 72-acre Travertine quarry by Gardiner, which is only one of 3 active quarries in the entire United States. This will employ anywhere from 40 to 60 Little Shell members, and has the potential to produce an income for the Little Shell Tribe of approximately 16 million dollars per year. We are currently looking at other business ventures, such as a tire-recycling center, and a meat-processing plant, all of which will benefit our Little Shell Tribal members and the state of Montana, as income made will be spent right here in Montana.

HOUSE JOURNAL  
TWENTY-NINTH LEGISLATIVE DAY - FEBRUARY 9, 2015

**Indian Country Education**

Education has and still is the stepping-stone for progress and success throughout Indian Country. The historical tide has turned, in that success in education was dependent upon how well cultures matched the dominate society, Well Indian Country has figured that out and now have made great strides in education.

I would like to give credit to school district #2 in Billings, Montana's largest city, where they recently chose to name the newest middle school, Medicine Crow Middle School, after the distinguished American Indian war veteran, the last War Chief of the Crow nation, also an author and historian, Joseph Medicine Crow. This is a great example of being open minded and accepting of this state's changing diversity. It's actions like this that will help teach the younger generations that showing respect for people of other races and cultures fosters a deep respect and understanding of others, which in turn has an effect on how all people can work together in a productive and civic manner thus giving everyone a chance to participate in our society. This is what makes Montana great and will make Montana better!

Our Tribal Nations continue to collaborate with the Office of Public Instruction regarding the important work of both implementing Indian Education for All and improving American Indian student achievement across the state. One mechanism that supports this government to government relationship is the Montana Advisory Council on Indian Education (MACIE), which serves to advise the Office of Public Instruction and the Montana Board of Education. Efforts to improve American Indian student achievement, lower drop-out rates and increase college and career readiness are necessary goals as we look to ensure a strong future for Montana. American Indian students from Great Falls to Culbertson to Heart Butte must receive the same high quality of educational opportunity as all other kids. Tribal nations must be partners with public schools in order to for this happen. The real promise of Indian Education for All - is that our nations' histories, cultures and contemporary issues be shared with all students.

Let's continue the success we're seeing throughout Montana and fund the Governors pre-school plan as we all know that the earlier children start school the better the chances they are ensured to develop socially and emotionally. Early childhood education also can significantly impact a child's cognitive development and language development. It's an investment in the State of Montana's future that we must have. As the Great Chief Sitting Bull once said "Let us put our minds together and see what life we can make for our children".

**Bills Important to Indian Country**

While there are many active pieces of legislation, there are a few that I want to mention in particular, so I stand here in front of you today and ask for your support....In working together through collaboration these bills will not only benefit Indian country but all of Montana;

- HB 196, sponsored by Representative Susan Webber, The Tribal College Non-Beneficiary Assistance program provides funding to tribal colleges to support a portion of the costs

HOUSE JOURNAL  
TWENTY-NINTH LEGISLATIVE DAY - FEBRUARY 9, 2015

of educating non-tribal members attending the seven tribal colleges on the reservations in Montana.

- Access to capital is the obstacle that impedes the launch or growth of individual tribal businesses as well as paralyzes the larger reservation economies. HB 301, sponsored by Representative Rae Peppers, The Native American Gap Financing Program, will provide support for tribal member-owned businesses that do not have sufficient collateral to access a commercial business loan. This innovative pilot program will partner with traditional and tribal lending institutions and help provide those needed loans.
- HB 331, sponsored by Representative Nicholas Schwaderer, Removes the term "Half breed" from signage and geological features in Montana. Lets do the right thing as we DO NOT need derogatory signage as it only sends the wrong message to the next generation.
- SB 262, sponsored by Senator C. Vincent, CSKT Water compact; This is the final tribe seeking quantification of their water rights through the Montana state system. Lets get this passed and avoid unnecessary court battles that only hurt and drag down businesses.

Preserving native languages in the form of spoken, written, or sign for each tribe in the State of Montana is of utmost importance to our tribal nations. This bill, which is sponsored by Senator Jonathan WindyBoy, will continue to develop, improve, and distribute language curriculum, language classes, publication of literature, language-teaching products, also to assist in preserving and carrying on our native languages.

For the Little Shell and other tribes, as well, passage of this language bill has and will:

- Bring focus and clarity to the mission of the tribe to reinforce, identify, document, protect, and encourage the Little Shell language and culture.
- Coalesce pride around a reaffirmed language and cultural identity for the tribe. Projects a positive, accountable, transparent, and confident public image of the tribe.
- Involved the tribe in nation-to-nation relationships throughout the traditional historic homeland.
- This helped the Tribe to recognize our significant role within Montana society.

Please support this Language effort again and not let it become a "one and done."

The Indian Country Economic Development Program, otherwise known as the ICED program, has proven year and year again to be nothing but a success to the Tribes and to the towns in which the program awards were utilized. This program assists in creating jobs and providing income for families, which is the right thing to do. ICED focuses on 1) workforce development/business development projects through tribal governments, 2) training for budding Native entrepreneurs, 3) access to capital through grant support for small business development of company collateral (also known as the Indian Equity Fund) and 4) technical assistance on credit, commercial lending and financial management.

HOUSE JOURNAL  
TWENTY-NINTH LEGISLATIVE DAY - FEBRUARY 9, 2015

This particular funding has helped the Little Shell build our business infrastructure, which in turn also benefits the city of Great Falls, as the income derived from these ventures are spent throughout Cascade county. Please continue to fund this important job-creating program.

Before I end, I want to talk about one more really important topic. One that impacts every single Montanan - our friends, our neighbors, our family, our communities . . . and that is our health.

**Health**

It is clear from the State of Montana's 2013 "State of the State Health Report" that health disparities exist between the Indian and non-Indian population in Montana. The most troubling statistic is the one that states that "white men in Montana lived 19 years longer than American Indian men, and white women lived 20 years longer than American Indian women." These statistics can simply no longer be ignored. This is an entire generation of people who are leaving our families and our communities too soon - children are growing up without grandparents, families are losing children, and children are losing parents. Now that we know this information, we must act, collectively, and in partnership. A great opportunity exists for the Tribes and State to work together to address health disparities in Indian Country. We need your support of any and all efforts made toward seizing this opportunity if we are to begin to make a difference.

**Access to Health Care**

The federal government, through the Indian Health Service, is responsible for delivering health care to Indians - a promise made by the federal government when they negotiated the treaties with Indian Tribes many, many years ago. Unfortunately, the health care services currently being provided are limited and inadequate, are subject to complex federal regulations, policies and requirements, and in the end leaves individuals without access to basic services, preventative care, and many times, without choices in their own health care decisions. The revenue received from third parties, such as Medicaid, is absolutely critical to building tribal health programs and delivering quality health care to Indians. These 100% federal pass through dollars, which have no impact on the state general fund, are important to facilities as they continue to build their local health infrastructure. Ensuring that Indians have access to the health insurance marketplace to purchase health insurance at an affordable price is important to helping individuals have choice and ultimately better access to health care coverage.

**Medicaid Expansion**

Montana has the highest percentage of uninsured adult American Indians in the nation, with over half of our state's American Indian population uninsured. Indian Health Service is not a health insurance plan nor is it portable outside its own system. In fact, the services IHS does provide do not even meet the 10 essential benefits required under the Affordable Care Act.

HOUSE JOURNAL  
TWENTY-NINTH LEGISLATIVE DAY - FEBRUARY 9, 2015

One way to begin to make a difference in outcomes and in access to quality health care for Indians would be to expand Medicaid eligibility to those most in need. House Bill 249, sponsored by Representative Pat Noonan, will do just that. In our culture, we hold in high regard the expectation that we have a responsibility to care for others. Medicaid Expansion would go a long way towards putting a serious dent in Montana's health disparity statistics and in giving individuals access to basic health care. I urge your support for Medicaid Expansion in Montana. People's lives literally depend on it. Accepting available federal funding will bring \$5.4 billion into Montana over the next six years. It will also create a bunch of high-paying jobs in the healthcare sector and among small businesses and it will keep those critical hospitals in our small towns and Indian reservation open and operating... Who doesn't want that?

These United States are truly the melting pot of the world, Montana demographics are also changing, therefore we need to work even harder together as a community to dispel the stereotypes that have plagued this state, that starts with all of us as leaders of this great state.

Since the direction of the party line clearly doesn't agree with all involved, perhaps politicians should start treating government as it was meant to be, addressing the problems at hand for the good of the people with sincere negotiation and compromise instead of party line attacks and misrepresentation. This whole concept of party wars and party agenda and being expected to go against what you know to be right (like not discriminating) just to satisfy some mystical presence at the heart of a party has not worked for centuries so why would they expect it to work now? This thinking only holds the State of Montana back, so lets all change things and make Great Things Happen!

We, as politicians - Republican, Democrat, Independents, Montana Legislators, State, County, Federal, and Tribal officials have the opportunities to work in an honest and true PARTNERSHIP to create a better life for all citizens of Montana, including all races and nationalities living in this great state.

We do not need to provoke and create hardships for one another; instead, with our abundant range of abilities that we all possess, no matter what position we hold as individuals, we must commit ourselves to ensuring that we are all working together to create a quality life for all Montanans! We have the opportunities now to change how we can and should work in PARTNERSHIP for the betterment of all people. Let us begin this journey today! Migwech.?

President Barrett thanked Chairman Gray and directed the Committee of four to escort the Chairman from the Joint Session.

Senate Majority Leader Rosendale moved that the Joint Session of the 64<sup>th</sup> Legislature be adjourned. Motion carried.

The House reconvened.

HOUSE JOURNAL  
TWENTY-NINTH LEGISLATIVE DAY - FEBRUARY 9, 2015

**BILLS** (Welborn, Chair):

2/9/2015

Correctly engrossed: **HB 322**.

Correctly enrolled: **HB 31, HB 41, HB 52, HB 57, HB 66, HB 79**.

Transmitted to the Senate: **HB 28, HB 87, HB 111, HB 226, HB 280, HB 302**.

Signed by the Speaker at 7:30 a.m., February 10, 2015: **HB 109, HB 121, HB 125**.

Signed by the Chief Clerk of the House at 8:00 a.m., February 10, 2015: **HB 109, HB 121, HB 125**.

Delivered to the Governor for approval at 10:45 a.m., February 9, 2015: **HB 32, HB 82, HB 108**.

**LEGISLATIVE ADMINISTRATION** (Welborn, Chair):

2/9/2015

MR. SPEAKER:

We, your committee on Legislative Administration recommend that employment of the following pages of the House be ceased as of 12:00 p.m., Saturday, February 7, 2015:

Bailey Durnell, Great Falls  
Timothy Haymond, Columbia Falls  
Tyler Reilly, Butte  
MacKenzie Dexter, Helena  
Dominique Nault, Havre  
Jonathon Four Colors, Box Elder  
Alex Winchell, Huntley Project

and recommend that the following pages of the House be employed as of 1:00 p.m., Monday, February 9, 2015:

Lauren Schmitt, Spokane, WA  
Joss Hoffman, Helena  
Matt Hoffman, Helena  
Emily Walborn, Helena  
Rob McCarvel, Helena  
Maia Parisot, Helena

Report Adopted.

**REPORTS OF STANDING COMMITTEES**

**EDUCATION** (Laszloffy, Chair):

2/6/2015

**HB 322**, introduced bill, be amended as follows:

1. Title, page 1, line 6 through line 7.

**Strike:** ", " on line 6

**Insert:** "AND"

**Strike:** ", AND COUNTY TREASURERS" on line 7

HOUSE JOURNAL  
TWENTY-NINTH LEGISLATIVE DAY - FEBRUARY 9, 2015

2. Page 2, line 25.

**Strike:** subsection (iii) in its entirety

**Renumber:** subsequent subsections

3. Page 3, line 2.

**Strike:** "(6)(b)(vi)"

**Insert:** "(6)(b)(v)"

4. Page 5, line 26.

**Strike:** "county treasurer and"

5. Page 6, line 18.

**Strike:** "After receiving notification from"

**Insert:** "Following receipt of a signed contract pursuant to [section 4],"

6. Page 6, line 18 through line 20.

**Strike:** "of a" on line 18 through "transfer" on line 20

**Insert:** "shall withhold"

7. Page 6, line 21.

**Strike:** "general" through "instruction"

**Insert:** "BASE aid payments, pursuant to 20-9-344, for the months of August through May"

8. Page 6, line 28.

**Strike:** "transferred"

**Insert:** "withheld"

9. Page 7, line 12.

**Strike:** "transferred to"

**Insert:** "withheld by"

And, as amended, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**House bill** concurred in and returned to the House:

2/6/2015

**HB 125**, introduced by Swanson

**Senate bills** passed and transmitted to the House for concurrence:

2/6/2015

**SB 54**, introduced by Dick Barrett

**SB 96**, introduced by Keane



HOUSE JOURNAL  
TWENTY-NINTH LEGISLATIVE DAY - FEBRUARY 9, 2015

**SB 97**, introduced by Vincent  
**SB 110**, introduced by Buttrey  
**SB 188**, introduced by Vincent

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 430**, introduced by S. Fitzpatrick, A. Doane, J. Essmann, K. Hansen, G. Hertz, E. Hill, S. Lavin, N. McConnell, M. Monforton, A. Person, N. Swandal, referred to Judiciary.  
**HB 435**, introduced by D. Hayman, M. Dunwell, M. Funk, C. Pope, referred to Business and Labor.  
**HB 436**, introduced by K. Dudik, referred to Judiciary.  
**HB 437**, introduced by M. Monforton, referred to State Administration.  
**HB 438**, introduced by A. Olszewski, referred to Human Services.

The following Senate bills were introduced, read first time, and referred to committees:

**SB 54**, introduced by Dick Barrett (by request of the Department of Revenue), referred to Taxation.  
**SB 96**, introduced by J. Keane (by request of the Department of Environmental Quality), referred to Natural Resources.  
**SB 97**, introduced by C. Vincent (by request of the Department of Environmental Quality), referred to Natural Resources.  
**SB 110**, introduced by E. Buttrey, referred to Transportation.  
**SB 188**, introduced by C. Vincent, referred to Natural Resources.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion Carried. Representative McConnell in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 89** - Representative Dudik moved **HB 89** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw,

HOUSE JOURNAL  
TWENTY-NINTH LEGISLATIVE DAY - FEBRUARY 9, 2015

Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 98

Nays: Burnett, Schwaderer.  
Total 2

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 235** - Representative Lynch moved **HB 235** do pass. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 93

Nays: Ballance, Cook, Fitzpatrick, Jones, Monforton, Pinocci, Wittich.  
Total 7

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 259** - Representative D. Moore moved **HB 259** do pass.

**HB 259** - Representative Olsen moved **HB 259**, second reading copy, be amended as follows:

1. Page 1, line 19.

**Following:** "dealer"

**Strike:** "or"

**Insert:** ", "

**Following:** "wholesaler"

HOUSE JOURNAL  
TWENTY-NINTH LEGISLATIVE DAY - FEBRUARY 9, 2015

**Insert:** ", or auto auction"

2. Page 2.

**Following:** line 14

**Insert:** "(c) If a dealer, wholesaler, or auto auction is unable to produce a clear certificate of ownership, certificate of title, or manufacturer's certificate of origin within 90 days, the buyer may rescind the purchase."

**HB 259** - Representative D. Moore moved **HB 259 Amendment # 259001** be tabled. The Chair deemed the motion out of order. The table motion was withdrawn.

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, Hayman, Hill, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods.

Total 46

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McCarthy, Miller, Monforton, Moore, Mortensen, Noland, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.

Total 54

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 259** - Representative Olsen moved **HB 259**, second reading copy, be amended as follows:

1. Page 2, line 9 through line 11.

**Following:** "IF"

**Strike:** ":", on line 9 through "(II)"

Amendment adopted as follows:

Yeas: B. Bennett, Z. Brown, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Flynn, Funk, Hagstrom, Harris, Hayman, Hess, Hill, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty,

HOUSE JOURNAL  
TWENTY-NINTH LEGISLATIVE DAY - FEBRUARY 9, 2015

McConnell, McKamey, Mehlhoff, Meyers, Monforton, Mortensen, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 59

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cuffe, Doane, Fiscus, Fitzpatrick, Garner, Glimm, Greef, Hertz, Hollandsworth, Holmlund, Lang, Laszloffy, Lavin, Mandeville, Miller, Moore, Noland, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Mr. Speaker.

Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 259** - Representative D. Moore moved **HB 259**, as amended, do pass. Motion carried as follows:

Yeas: Ballance, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Jones, Karjala, Kipp III, Lang, Lavin, Lynch, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, White, Wilson, Wittich, Zolnikov, Mr. Speaker.

Total 73

Nays: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Dudik, Dunwell, Eck, Ellis, Harris, Hayman, Hess, Holmlund, Kelker, Lamm, Laszloffy, Lieser, MacDonald, Mandeville, Olsen, Osmundson, Pease-Lopez, Ricci, Wagoner, Welborn, Williams, Woods.

Total 27

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
TWENTY-NINTH LEGISLATIVE DAY - FEBRUARY 9, 2015

**HB 274** - Representative Ballance moved **HB 274** do pass. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Fiscus, Flynn, Glimm, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Laszloffy, Manzella, McKamey, Meyers, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, White, Wittich, Zolnikov, Mr. Speaker.  
Total 39

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Funk, Garner, Greef, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Woods.  
Total 61

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Majority Leader Regier moved the committee rise and report. Motion Carried. Committee arose. House resumed. Mr. Speaker presiding. Chair McConnell moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 99

Nays: Schwaderer.  
Total 1

Excused: None.  
Total 0

HOUSE JOURNAL  
TWENTY-NINTH LEGISLATIVE DAY - FEBRUARY 9, 2015

Absent or not voting: None.

Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 119** passed as follows:

Yeas: Ballance, B. Bennett, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 90

Nays: J. Bennett, Berglee, B. Brown, Cuffe, Hess, Manzella, Monforton, Schwaderer, Wittich, Zolnikov.

Total 10

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 203** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Garner, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy,

HOUSE JOURNAL  
TWENTY-NINTH LEGISLATIVE DAY - FEBRUARY 9, 2015

McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 42

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 229** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dunwell, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jones, Karjala, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Steenberg, Swanson, Tschida, Wagoner, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 85

Nays: Dudik, Eck, Hayman, Jacobson, Kelker, Lieser, Meyers, Peppers, Pierson, Schreiner, Shaw, Smith, Tropila, Webber, Welborn.

Total 15

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 324** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson,

HOUSE JOURNAL  
TWENTY-NINTH LEGISLATIVE DAY - FEBRUARY 9, 2015

Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 4** concurred in as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 83

Nays: J. Bennett, Brodehl, B. Brown, Cook, Cuffe, Doane, Glimm, Jones, Lamm, Laszloffy, Manzella, Monforton, Mortensen, Schwaderer, Wagoner, Welborn, White.  
Total 17

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 5** concurred in as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pope, Price, Randall, Redfield,



HOUSE JOURNAL  
TWENTY-NINTH LEGISLATIVE DAY - FEBRUARY 9, 2015

Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.  
Total 81

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Ehli, Glimm, Lamm, Manzella, Noland, Peppers, Pinocci, Schwaderer, Tschida, Welborn, Zolnikov.  
Total 19

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 35** concurred in as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Clark, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 84

Nays: J. Bennett, Brodehl, B. Brown, Burnett, Cook, Cuffe, Ehli, Glimm, Greef, Hess, Lamm, Meyers, Schwaderer, Tschida, Wagoner, Welborn.  
Total 16

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 36** concurred in as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall,

HOUSE JOURNAL  
TWENTY-NINTH LEGISLATIVE DAY - FEBRUARY 9, 2015

Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, White, Williams, Wilson, Woods, Mr. Speaker.

Total 81

Nays: J. Bennett, Brodehl, B. Brown, Cook, Cuffe, Glimm, Hagstrom, Harris, Hess, Lamm, Manzella, Monforton, Olszewski, Schwaderer, Tschida, Wagoner, Welborn, Wittich, Zolnikov.

Total 19

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**MOTIONS**

Majority Leader Regier moved **HB 89** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Regier moved **HB 235** be moved from the Committee of the Whole to the Appropriations Committee.

Representative Z. Brown moved to change his vote on **HB 203** from Yes to No. Without objection, so ordered.

Representative Ballance moved to reconsider action on **SB 29** and that **SB 29** be placed on second reading on Tuesday, February 10, 2015.

Motion **passed** as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Funk, Garner, Greef, Hagstrom, Harris, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Noland, Noonan, Olsen, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 79

Nays: Brodehl, B. Brown, Doane, Essmann, Fitzpatrick, Flynn, Glimm, Hayman, Hertz, Lamm, Mortensen, Olszewski, Osmundson, Peppers, Randall, Regier, Schwaderer, Staffanson, Tropila, Wagoner, Wittich.

Total 21

HOUSE JOURNAL  
TWENTY-NINTH LEGISLATIVE DAY - FEBRUARY 9, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Tuesday, February 10, 2015. Motion carried.

House adjourned at 3:12 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
THIRTIETH LEGISLATIVE DAY**

Helena, Montana  
February 10, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative McKamey. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

**BILLS** (Welborn, Chair):

2/10/2015

Correctly printed: **HB 145, HB 346, HB 387, SB 81, SB 104, SB 117, SB 164.**

Correctly engrossed: **HB 343, HJR 9, HJR 10.**

Correctly enrolled: **HB 56, HB 67, HB 75, HB 81, HB 84, HB 110, HB 122, HB 139, HB 143.**

Transmitted to the Senate: **HB 119, HB 203, HB 229, HB 324, SB 4, SB 5, SB 35, SB 36.**

Signed by the Chief Clerk of the House at 10:41 a.m., February 10, 2015: **HB 65.**

Signed by the Speaker at 10:30 a.m., February 10, 2015: **HB 65.**

Signed by the President at 9:30 a.m., February 10, 2015: **HB 109, HB 121, HB 125.**

Signed by the President at 2:30 p.m., February 10, 2015: **HB 65.**

Delivered to the Governor for approval at 9:45 a.m., February 10, 2015: **HB 109, HB 121, HB 125.**

**REPORTS OF STANDING COMMITTEES**

**APPROPRIATIONS** (Ballance, Chair):

2/9/2015

**HB 145**, do pass. Report adopted.

**BUSINESS AND LABOR** (Berry, Chair):

2/10/2015

**HB 343**, introduced bill, be amended as follows:

1. Page 1, line 21.

**Strike:** ", easily produced"

2. Page 1, line 24.

**Following:** "confidential information,"

**Insert:** "trade secrets,"

3. Page 2, line 21.

**Strike:** "2 years"

**Insert:** "1 year"

And, as amended, do pass. Report adopted.

**SB 81**, be concurred in. Report adopted.

**SB 104**, be concurred in. Report adopted.

**SB 164**, be concurred in. Report adopted.

HOUSE JOURNAL  
THIRTIETH LEGISLATIVE DAY - FEBRUARY 10, 2015

**TRANSPORTATION** (Lavin, Chair):

2/9/2015

**HB 346**, do pass. Report adopted.  
**HB 387**, do pass. Report adopted.  
**HJR 9**, be adopted. Report adopted.  
**HJR 10**, be adopted. Report adopted.  
**SB 117**, be concurred in. Report adopted.

**MESSAGES FROM THE SENATE**

**House bills** concurred in and returned to the House:

2/7/2015

**HB 31**, introduced by Kelker  
**HB 41**, introduced by Hunter  
**HB 52**, introduced by Dunwell  
**HB 57**, introduced by Funk  
**HB 66**, introduced by Hertz  
**HB 79**, introduced by Lynch

**House bill** concurred in as amended and returned to the House for concurrence in Senate amendments:

2/7/2015

**HB 136**, introduced by Eck

**Senate bill** passed and transmitted to the House for concurrence:

2/7/2015

**SB 151**, introduced by Kary

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 439**, introduced by A. Redfield, referred to Agriculture.  
**HB 440**, introduced by G. Kipp, referred to Taxation.  
**HB 441**, introduced by J. Essmann, referred to Local Government.  
**HB 442**, introduced by A. Wittich, referred to Human Services.  
**HB 443**, introduced by D. Zolnikov, referred to Judiciary.  
**HB 444**, introduced by D. Zolnikov, referred to Judiciary.  
**HB 445**, introduced by D. Zolnikov, referred to Judiciary.  
**HB 446**, introduced by K. Wagoner, referred to Judiciary.  
**HB 447**, introduced by K. Wagoner, referred to Judiciary.  
**HB 448**, introduced by K. Wagoner, referred to Judiciary.  
**HB 449**, introduced by K. Wagoner, referred to Business and Labor.  
**HB 450**, introduced by K. Wagoner, referred to Fish, Wildlife and Parks.

HOUSE JOURNAL  
THIRTIETH LEGISLATIVE DAY - FEBRUARY 10, 2015

The following House resolution was introduced, read first time, and referred to committee:

**HR 2**, introduced by W. Curdy, referred to Natural Resources.

The following Senate bill was introduced, read first time, and referred to committee:

**SB 151**, introduced by D. Kary, referred to State Administration.

Minority Leader Hunter announced the Democrats would caucus.

Majority Leader Regier announced the Republicans would stand at ease.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion Carried. Representative McCarthy in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 33** - Representative Ehli moved **HB 33** do pass.

**HB 33** - Representative Ehli moved **HB 33**, second reading copy, be amended as follows:

1. Page 2, line 12.

**Strike:** "Money"

**Insert:** "For the biennium beginning July 1, 2015, money"

2. Page 2.

**Following:** line 19

**Insert:** "(5) Money appropriated for the purposes of this section after June 30, 2017, may be used to support services developed through use of state matching funds in previous years. If an appropriation exceeds the base budget, the department shall give priority for use of the additional money to counties that are proposing to create crisis intervention or jail diversion services in areas of the state that lack services or to counties that are proposing to create new services or provide additional services in areas of the state that have received state matching funds for other purposes.

**Renumber:** subsequent subsection

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett,

HOUSE JOURNAL  
THIRTIETH LEGISLATIVE DAY - FEBRUARY 10, 2015

Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 33** - Representative Ehli moved **HB 33**, second reading copy, be amended as follows:

1. Page 2, line 12.

**Strike:** "Money"

**Insert:** "For the biennium beginning July 1, 2015, money"

2. Page 2, line 14.

**Following:** "services."

**Strike:** "or"

3. Page 2, line 16.

**Following:** "purposes"

**Insert:** "; or

(iii) recognize an increase in the demand for or use of services that have received funding in previous years"

4. Page 2, line 17.

**Strike:** "The"

**Insert:** "For the biennium beginning July 1, 2015, the"

5. Page 2, line 19.

**Following:** "matching funds."

**Insert:** "If a county requests additional matching funds for continued funding of services

HOUSE JOURNAL  
THIRTIETH LEGISLATIVE DAY - FEBRUARY 10, 2015

provided through use of matching funds in previous years, the department shall consider whether the service is experiencing increased demand or use as provided in subsection (4)(a)(iii) and is eligible for increased funding."

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 33** - Representative Ehli moved **HB 33**, second reading copy, be amended as follows:

1. Page 2, line 22.

**Following: "Appropriation."**

**Insert: "(1)"**

2. Page 2, line 25.

**Insert:** "(2) Expenditures from this appropriation are intended to be ongoing and must be included in the budget prepared by the governor for the 2019 biennium."

**Insert:** "COORDINATION SECTION. **Section 3. Coordination instruction.** (1) If both House Bill No. 2 and [this act] are passed and approved and House Bill No. 2 contains an appropriation of \$1.85 million to the department of public health and human services in each year of the biennium beginning July 1, 2015, for state matching funds granted pursuant to 53-21-1203, then [section 2 of this act] is void.

(2) If both House Bill No. 2 and [this act] are passed and approved and House Bill No. 2 contains an appropriation of less than \$1.85 million but more than \$850,000 in each year of the biennium beginning July 1, 2015, to the department of public health and human services for



HOUSE JOURNAL  
THIRTIETH LEGISLATIVE DAY - FEBRUARY 10, 2015

state matching funds granted pursuant to 53-21-1203, then the appropriation in House Bill No. 2 must be reduced to \$850,000 in each year of the biennium.

(3) If both House Bill No. 2 and [this act] are passed and approved and House Bill No. 2 contains an appropriation of less than \$850,000 in each year of the biennium beginning July 1, 2015, to the department of public health and human services for state matching funds granted pursuant to 53-21-1203, then the appropriation in House Bill No. 2 is void and the appropriation in [this act] must be increased to \$3.7 million for the biennium."

**Renumber:** subsequent section

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 33** - Representative Ehli moved **HB 33**, as amended, do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

HOUSE JOURNAL  
THIRTIETH LEGISLATIVE DAY - FEBRUARY 10, 2015

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 34** - Representative Ehli moved **HB 34** do pass.

**HB 34** - Representative Ehli moved **HB 34**, second reading copy, be amended as follows:

1. Page 1, line 14.

**Insert:** "(3) Expenditures from this appropriation are intended to be ongoing and must be included in the budget prepared by the governor for the 2019 biennium."

**Insert:** "COORDINATION SECTION. Section 2. Coordination instruction. (1) If both House Bill No. 2 and [this act] are passed and approved and House Bill No. 2 contains an appropriation of \$815,000 in each year of the biennium beginning July 1, 2015, to the department of public health and human services to contract for psychiatric treatment beds as allowed under 53-21-1204, then [this act] is void.

(2) If both House Bill No. 2 and [this act] are passed and approved and House Bill No. 2 contains an appropriation of less than \$815,000 but more than \$215,000 in each year of the biennium beginning July 1, 2015, to the department of public health and human services to contract for psychiatric treatment beds as allowed under 53-21-1204, then the appropriation in House Bill No. 2 must be reduced to \$215,000 in each year of the biennium.

(3) If both House Bill No. 2 and [this act] are passed and approved and House Bill No. 2 contains an appropriation of less than \$215,000 in each year of the biennium beginning July 1, 2015, to the department of public health and human services to contract for psychiatric treatment beds as allowed under 53-21-1204, then the appropriation in House Bill No. 2 is void and the appropriation in [this act] must be increased to \$815,000 in each year of the biennium."

**Renumber:** subsequent section

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson,

HOUSE JOURNAL  
THIRTIETH LEGISLATIVE DAY - FEBRUARY 10, 2015

Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 34** - Representative Ehli moved **HB 34**, as amended, do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 35** - Representative Ehli moved **HB 35** do pass.

**HB 35** - Representative Ehli moved **HB 35**, second reading copy, be amended as follows:

1. Page 3, line 25.

**Insert:** "(3) Expenditures from this appropriation are intended to be ongoing and must be included in the budget prepared by the governor for the 2019 biennium."

HOUSE JOURNAL  
THIRTIETH LEGISLATIVE DAY - FEBRUARY 10, 2015

**Insert:**        "COORDINATION SECTION. Section 5. Coordination instruction. If both House Bill No. 2 and [this act] are passed and approved and House Bill No. 2 contains an appropriation of \$1 million to the department of public health and human services for the biennium beginning July 1, 2015, for short-term inpatient treatment provided pursuant to 53-21-1205, then [section 4] of [this act] is void."

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 35** - Representative Ehli moved **HB 35**, as amended, do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

HOUSE JOURNAL  
THIRTIETH LEGISLATIVE DAY - FEBRUARY 10, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 287** - Representative Jacobson moved **HB 287** do pass. Motion carried as follows:

Yeas: B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Harris, Hayman, Hertz, Hess, Hill, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 79

Nays: Ballance, J. Bennett, B. Brown, Burnett, Clark, Essmann, Glimm, Hagstrom, Hollandsworth, Lamm, Manzella, McKamey, Noland, Osmundson, Pinocci, Redfield, Regier, Ricci, Schwaderer, Wittich, Zolnikov.

Total 21

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 331** - Representative Schwaderer moved **HB 331** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

HOUSE JOURNAL  
THIRTIETH LEGISLATIVE DAY - FEBRUARY 10, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 372** - Representative Garner moved **HB 372** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 16** - Representative B. Bennett moved **SB 16** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

HOUSE JOURNAL  
THIRTIETH LEGISLATIVE DAY - FEBRUARY 10, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 19** - Representative Berglee moved **SB 19** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Brodehl, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 86

Nays: J. Bennett, Berry, B. Brown, Cook, Fitzpatrick, Hertz, Karjala, Lamm, McKamey, Wagoner, Webber, White, Wittich, Zolnikov.

Total 14

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 27** - Representative Garner moved **SB 27** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 98

Nays: Schwaderer, Zolnikov.

Total 2

HOUSE JOURNAL  
THIRTIETH LEGISLATIVE DAY - FEBRUARY 10, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 29** - Representative Essmann moved **SB 29** be concurred in.

**SB 29** - Representative Salomon moved **SB 29**, second reading copy, be amended as follows:

1. Title, page 1, line 4.

**Strike:** "REQUIREMENTS RELATED TO"

**Insert:** "LIMIT ON"

2. Page 1, line 12.

**Following:** "{4}"

**Insert:** "(1)"

3. Page 2.

**Following:** line 15

**Insert:** "(2) The regents may utilize waivers in tuition and

fees to aid in the recruitment of students to units of the university system and to promote the policy of assisting the categories of students specified in this subsection. The regents may:

(a) waive or discount nonresident tuition for selected and approved nonresident students, including nonresident students who enroll under provisions of any WICHE-sponsored state reciprocal agreements that provide for the payment, when required, of the student support fee by the reciprocal state;

(b) waive resident tuition for students at least 62 years of age;

(c) waive tuition and fees for:

(i) persons who have one-fourth Indian blood or more or are enrolled members of a state-recognized or federally recognized Indian tribe located within the boundaries of the state of Montana and who have been bona fide residents of Montana for at least 1 year prior to enrollment in the Montana university system;

(ii) persons designated by the department of corrections pursuant to 52-5-112 or 53-1-214;

(iii) residents of Montana who served with the armed forces of the United States in any of its wars and who were honorably discharged from military service;

(iv) children of residents of Montana who served with the armed forces of the United States in any of its wars and who were killed in action or died as a result of injury, disease, or other disability incurred while in the service of the armed forces of the United States;

(v) the spouses or children of residents of Montana who have been declared to be prisoners of war or missing in action; or

(vi) the spouse or children of a Montana national guard member who was killed or died as a result of injury, disease, or other disability incurred in the line of duty while serving on state active duty;



HOUSE JOURNAL  
THIRTIETH LEGISLATIVE DAY - FEBRUARY 10, 2015

(d) waive tuition charges for qualified survivors of Montana firefighters or peace officers killed in the course and scope of employment. For purposes of this subsection, a qualified survivor is a person who meets the entrance requirements at the state university or college of the person's choice and is the surviving spouse or child of any of the following who were killed in the course and scope of employment:

- (i) a paid or volunteer member of a municipal or rural fire department;
- (ii) a law enforcement officer as defined in 7-32-201; or
- (iii) a full-time highway patrol officer."

Amendment adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Mr. Speaker.  
Total 90

Nays: B. Bennett, Cook, Essmann, Glimm, Hertz, Mandeville, Meyers, Schwaderer, White, Zolnikov.  
Total 10

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 29** - Representative Essmann moved **SB 29**, as amended, be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Flynn, Funk, Harris, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Monforton, Moore, Olsen, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Richmond, Salomon, Schreiner, Shaw, Staffanson, Steenberg, Swanson, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.  
Total 64

HOUSE JOURNAL  
THIRTIETH LEGISLATIVE DAY - FEBRUARY 10, 2015

Nays: J. Bennett, Brodehl, B. Brown, Doane, Essmann, Fitzpatrick, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Jones, Lamm, Lang, Mandeville, Manzella, McKamey, Meyers, Mortensen, Noland, Noonan, Olszewski, Peppers, Redfield, Regier, Ricci, Schwaderer, Smith, Tropila, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 36

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 46** - Representative Wagoner moved **SB 46** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 88

Nays: J. Bennett, Brodehl, Cuffe, Glimm, Harris, Lang, Redfield, Ricci, Schwaderer, White, Wittich.

Total 11

Excused: None.

Total 0

Absent or not voting: Berglee.

Total 1

**SB 78** - Representative Salomon moved **SB 78** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner,

HOUSE JOURNAL  
THIRTIETH LEGISLATIVE DAY - FEBRUARY 10, 2015

Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Majority Leader Regier moved the committee rise and report. Motion Carried. Committee arose. House resumed. Mr. Speaker presiding. Chair McCarthy moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 259** passed as follows:

HOUSE JOURNAL  
THIRTIETH LEGISLATIVE DAY - FEBRUARY 10, 2015

Yeas: Ballance, Berry, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Jones, Karjala, Kipp III, Lamm, Lang, Lavin, Lynch, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Webber, Welborn, White, Wittich, Mr. Speaker.

Total 67

Nays: B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Cuffe, Dudik, Dunwell, Eck, Funk, Hagstrom, Hayman, Hess, Holmlund, Kelker, Laszloffy, Lieser, MacDonald, Mandeville, Manzella, McCarthy, McConnell, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Tropila, Wagoner, Williams, Wilson, Woods, Zolnikov.

Total 33

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**MOTIONS**

Majority Leader Regier moved **HB 287** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **HB 351** be moved from the Committee of the Whole to the Appropriations Committee.

Representative Dudik moved to change her vote on **HB 259** from Yes to No. Without objection, so ordered.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Wednesday, February 11, 2015. Motion carried.

House adjourned at 2:43 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
THIRTY-FIRST LEGISLATIVE DAY**

Helena, Montana  
February 11, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Kelker. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative B. Smith, excused. Quorum present.

**BILLS** (Welborn, Chair):

2/11/2015

Correctly printed: **HB 146, HB 272, HB 314, HB 355, SB 28, SB 108, SB 113.**

Correctly engrossed: **HB 179, HB 233, HB 244, HB 289, HB 315, HB 350, HJR 4.**

Transmitted to the Senate: **HB 259.**

Signed by the Chief Clerk of the House at 2:53 p.m., February 11, 2015: **HB 57.**

Signed by the Speaker at 12:45 p.m., February 11, 2015: **HB 57.**

Signed by the Chief Clerk of the House at 3:27 p.m., February 11, 2015: **HB 31, HB 41, HB 52, HB 66, HB 79.**

Signed by the Speaker at 3:00 p.m., February 11, 2015: **HB 31, HB 41, HB 52, HB 66, HB 79.**

Signed by the President at 5:20 p.m., February 11, 2015: **HB 31, HB 41, HB 52, HB 66, HB 79.**

Signed by the President at 5:25 p.m., February 11, 2015: **HB 57.**

Delivered to the Governor for approval at 8:26 a.m., February 11, 2015: **HB 65.**

**COMMUNICATIONS AND PETITIONS**

Mr. Speaker: We, your committee on Legislative Administration, having examined the daily journals for the eleventh, twelfth, thirteenth, fourteenth, and fifteenth legislative days, find the same to be correct.

Representative Welborn, Chair

**REPORTS OF STANDING COMMITTEES**

**AGRICULTURE** (Redfield, Chair):

2/10/2015

**HB 179**, introduced bill, be amended as follows:

1. Title, page 1, line 4 through line 6.

**Strike:** "MAKING IT" on line 4 through "OWNER'S CONSENT" on line 6

**Insert:** "LIMITING EXEMPTIONS PROVIDED FOR IN THE FARM ANIMAL AND RESEARCH FACILITIES PROTECTION ACT TO GOVERNMENT AGENCIES, FINANCIAL INSTITUTIONS, AND SECURED PARTIES"

2. Page 1, line 8.

**Following:** line 7

**Insert:** "WHEREAS, a county sheriff performs the duties of a humane officer within a county related to the protection of animals pursuant to section 7-32-2121, MCA; and

HOUSE JOURNAL  
THIRTY-FIRST LEGISLATIVE DAY - FEBRUARY 11, 2015

WHEREAS, the Department of Livestock appoints stock inspectors and detectives necessary for the protection of livestock pursuant to section 81-1-201, MCA; and

WHEREAS, the Farm Animal and Research Facilities Protection Act in Title 81, MCA, was designed to protect animal facilities; and

WHEREAS, the term "humane animal treatment shelter" is not defined in the Farm Animal and Research Facilities Protection Act or in other state law; and

WHEREAS, humane animal treatment shelters are not under state oversight, placing the state at a liability risk for injuries to personnel from a humane animal treatment shelter assisting in the confiscation of seized animals or injuries to the animals being confiscated."

And, as amended, do pass. Report adopted.

**HB 355**, do pass. Report adopted.

**SB 108**, be concurred in. Report adopted.

**APPROPRIATIONS** (Ballance, Chair):

2/10/2015

**HB 146**, do pass. Report adopted.

**HB 233**, do pass. Report adopted.

**HB 244**, introduced bill, be amended as follows:

1. Page 1, line 19.

**Insert:** "(3) The department of justice will report to the legislative finance committee prior to the end of each fiscal year on any amounts expended or encumbered in that fiscal year for the purposes described in subsection (1)."

And, as amended, do pass. Report adopted.

**HB 314**, do pass. Report adopted.

**BUSINESS AND LABOR** (Berry, Chair):

2/11/2015

**HB 350**, introduced bill, be amended as follows:

1. Page 1, line 14.

**Following:** "product"

**Insert:** "and, except as provided in subsection (4), may employ two additional representatives to promote the sale of the vendor's product"

2. Page 1.

**Following:** line 19

**Insert:** "(4) A vendor may employ an unlimited number of representatives if the representative is a direct employee, an owner, or an officer of the distillery and is not employed through an independent contractor."

And, as amended, do pass. Report adopted.

HOUSE JOURNAL  
THIRTY-FIRST LEGISLATIVE DAY - FEBRUARY 11, 2015

**JUDICIARY** (Bennett, Chair): 2/11/2015  
**HB 272**, do pass. Report adopted.  
**HB 315**, do pass. Report adopted.  
**HJR 4**, be adopted. Report adopted.

**LOCAL GOVERNMENT** (Greef, Chair): 2/10/2015  
**HB 289**, introduced bill, be amended as follows:

1. Page 1, line 19 through line 22.

**Following:** "zoned"

**Insert:** ":",

**Strike:** "for use" on line 19 through "part 1;" on line 22

**Insert:** "(i) for uses by a local government under Title 76, chapter 2, part 2 or 3, in accordance with the area growth policy, as defined in 76-1-103; or

(ii) if a county has not adopted a growth policy, then for uses in accordance with the development pattern and zoning regulations or the development district adopted under Title 76, chapter 2, part 1;"

And, as amended, do pass. Report adopted.

**SB 28**, be concurred in. Report adopted.

**SB 113**, be concurred in. Report adopted.

**MESSAGES FROM THE SENATE**

**House bills** concurred in and returned to the House: 2/9/2015

**HB 56**, introduced by White

**HB 67**, introduced by B. Smith

**HB 75**, introduced by Hess

**HB 81**, introduced by Lynch

**HB 84**, introduced by B. Bennett

**HB 110**, introduced by Holmlund

**HB 122**, introduced by Randall

**HB 139**, introduced by McConnell

**HB 143**, introduced by McConnell

**House bill** concurred in as amended and returned to the House for concurrence in Senate amendments:

**HB 134**, introduced by Eck

2/9/2015

HOUSE JOURNAL  
THIRTY-FIRST LEGISLATIVE DAY - FEBRUARY 11, 2015

**Senate bills** passed and transmitted to the House for concurrence: 2/9/2015

**SB 126**, introduced by Webb  
**SB 175**, introduced by Wolken  
**SB 211**, introduced by Buttrey  
**SB 217**, introduced by Hansen  
**SB 233**, introduced by Caferro

**Senate joint resolution** passed and transmitted to the House for concurrence: 2/9/2015

**SJR 2**, introduced by Hamlett

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 451**, introduced by C. Pope, M. Caferro, referred to Education.  
**HB 452**, introduced by K. Williams, referred to Transportation.  
**HB 453**, introduced by W. McKamey, referred to Business and Labor.  
**HB 454**, introduced by S. Fitzpatrick, referred to State Administration.  
**HB 455**, introduced by N. Ballance, R. Ehli, E. Greef, D. Howard, C. Smith, F. Thomas, R. Webb, A. Wittich, referred to Human Services.  
**HB 456**, introduced by R. Peppers, M. Caferro, referred to Human Services.  
**HB 457**, introduced by M. Monforton, A. Doane, C. Fiscus, J. Hinkle, D. Mortensen, M. Noland, R. Pinocci, S. Staffanson, referred to Judiciary.  
**HB 458**, introduced by Z. Brown, referred to Natural Resources.  
**HB 459**, introduced by E. Lieser, M. Dunwell, T. Jacobson, A. Person, B. Smith, referred to State Administration.  
**HB 460**, introduced by R. Mehlhoff, D. Ankney, E. Buttrey, R. Cook, T. Facey, S. Fitzpatrick, M. Funk, C. Glimm, B. Hamlett, K. Hansen, R. Hollandsworth, B. Hoven, C. Hunter, T. Jacobson, L. Jones, C. Larsen, E. Lieser, R. Lynch, S. Malek, K. McCarthy, E. McClafferty, N. McConnell, W. McKamey, M. Moe, P. Noonan, A. Olsen, A. Person, G. Pierson, R. Pinocci, J. Price, L. Randall, R. Ripley, D. Salomon, C. Schreiner, R. Shaw, B. Smith, M. Tropila, G. Vuckovich, T. Woods, referred to State Administration.  
**HB 461**, introduced by S. Lavin, J. Essmann, S. Fitzpatrick, F. Garner, L. Randall, N. Schwaderer, N. Swandal, referred to Local Government.  
**HB 462**, introduced by A. Wittich, referred to State Administration.

The following House joint resolutions were introduced, read first time, and referred to committees:

**HJR 16**, introduced by M. MacDonald, referred to Transportation.  
**HJR 17**, introduced by G. Kipp, referred to Natural Resources.



HOUSE JOURNAL  
THIRTY-FIRST LEGISLATIVE DAY - FEBRUARY 11, 2015

The following Senate bills were introduced, read first time, and referred to committees:

**SB 126**, introduced by R. Webb, referred to Judiciary.  
**SB 175**, introduced by C. Wolken, referred to Taxation.  
**SB 211**, introduced by E. Buttrey, referred to Human Services.  
**SB 217**, introduced by K. Hansen, referred to Human Services.  
**SB 233**, introduced by M. Caferro, referred to Human Services.

The following Senate joint resolution was introduced, read first time, and referred to committee:

**SJR 2**, introduced by B. Hamlett (by request of the Environmental Quality Council), referred to Natural Resources.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion Carried. Representative Tropila in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 24** - Representative Schreiner moved **HB 24** do pass.

**HB 24** - Representative Ehli moved **HB 24**, second reading copy, be amended as follows:

1. Page 6, line 18.

**Insert:** "(3) Expenditures from this appropriation are intended to be ongoing and must be included in the base budget prepared by the executive."

2. Page 6.

**Following:** line 21

**Insert:** "COORDINATION SECTION. Section 8. Coordination instruction. If both House Bill No. 2 and [this act] are passed and approved and House Bill No. 2 contains an appropriation of \$3 million to the department of public health and human services for the biennium beginning July 1, 2015, for the operation of one or more transitional mental health group homes in the community as provided in [section 1] of this act, then [section 6] of [this act] is void."

**Renumber:** subsequent section

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick,

HOUSE JOURNAL  
THIRTY-FIRST LEGISLATIVE DAY - FEBRUARY 11, 2015

Flynn, Funk, Garner, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 92

Nays: B. Brown, Burnett, Glimm, Hagstrom, Noland, Wittich, Zolnikov.  
Total 7

Excused: Smith.  
Total 1

Absent or not voting: None.  
Total 0

**HB 24** - Representative Schreiner moved **HB 24**, as amended, do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McConnell, McKamey, Mehlhoff, Meyers, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 85

Nays: B. Brown, Burnett, Doane, Glimm, Jones, Manzella, Miller, Monforton, Noland, Randall, Schwaderer, Wittich, Zolnikov.  
Total 13

Excused: None.  
Total 0

Absent or not voting: Court, McClafferty.  
Total 2

HOUSE JOURNAL  
THIRTY-FIRST LEGISLATIVE DAY - FEBRUARY 11, 2015

**HB 47** - Representative Pease-Lopez moved **HB 47** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 84

Nays: B. Brown, Burnett, Doane, Glimm, Lamm, Manzella, Monforton, Mortensen, Noland, Pinocci, Randall, Schwaderer, Staffanson, Tschida, Wittich, Zolnikov.

Total 16

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 136 - Senate Amendments** - Representative Eck moved Senate amendments to **HB 136** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berglee, Z. Brown, Burnett, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Fiscus, Fitzpatrick, Funk, Hagstrom, Hayman, Hill, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Regier, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 58

Nays: Ballance, J. Bennett, Berry, Brodehl, B. Brown, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Jones, Lamm, Laszloffy, Mandeville, Manzella, Miller, Monforton, Moore, Mortensen, Noland, Pinocci, Redfield, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 42

Excused: None.

Total 0

HOUSE JOURNAL  
THIRTY-FIRST LEGISLATIVE DAY - FEBRUARY 11, 2015

Absent or not voting: None.

Total 0

**HB 319** - Representative Olszewski moved **HB 319** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Curdy, Custer, Doane, Dudik, Eck, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jones, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Peppers, Perry, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Welborn, White, Wilson, Wittich, Zolnikov, Mr. Speaker.

Total 75

Nays: B. Bennett, Court, Cuffe, Dunwell, Ellis, Funk, Harris, Hayman, Jacobson, Karjala, Kelker, Kipp III, Lieser, MacDonald, Manzella, Olsen, Pease-Lopez, Person, Pierson, Schreiner, Smith, Tropila, Webber, Williams, Woods.

Total 25

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 348** - Representative Ballance moved **HB 348** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Court, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 56

Nays: B. Bennett, Z. Brown, Clark, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 44

Excused: None.

Total 0

HOUSE JOURNAL  
THIRTY-FIRST LEGISLATIVE DAY - FEBRUARY 11, 2015

Absent or not voting: None.

Total 0

**SB 58** - Representative Fitzpatrick moved **SB 58** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods.

Total 84

Nays: Berry, Brodehl, Cuffe, Harris, Lamm, Manzella, Randall, Redfield, Regier, Ricci, Schwaderer, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 16

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 59** - Representative MacDonald moved **SB 59** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 78

Nays: J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Fitzpatrick, Glimm, Hess, Lamm, Lang, Laszloffy, Lavin, Manzella, McKamey, Monforton, Noland, Randall, Schwaderer, Welborn, White, Zolnikov.

Total 22

Excused: None.

Total 0

HOUSE JOURNAL  
THIRTY-FIRST LEGISLATIVE DAY - FEBRUARY 11, 2015

Absent or not voting: None.

Total 0

**SB 62** - Representative Staffanson moved **SB 62** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Berry, B. Brown, McKamey.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 343** - Representative B. Bennett moved **HB 343** do pass. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Ballance, B. Brown, Manzella, Monforton, Schwaderer, Wittich.

Total 6

Excused: None.

Total 0

HOUSE JOURNAL  
THIRTY-FIRST LEGISLATIVE DAY - FEBRUARY 11, 2015

Absent or not voting: None.

Total 0

**HB 387** - Representative McConnell moved **HB 387** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 83

Nays: J. Bennett, Berry, Brodehl, B. Brown, Burnett, Cook, Doane, Flynn, Glimm, Hertz, Lamm, Laszloffy, Manzella, Pinocci, Redfield, Wittich, Zolnikov.

Total 17

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 81** - Representative D. Moore moved **SB 81** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Williams, Wilson, Woods, Mr. Speaker.

Total 79

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Glimm, Harris, Hess, Lamm, Mandeville, Manzella, Miller, Monforton, Schwaderer, Wagoner, Welborn, White, Wittich, Zolnikov.

Total 21

Excused: None.

Total 0

HOUSE JOURNAL  
THIRTY-FIRST LEGISLATIVE DAY - FEBRUARY 11, 2015

Absent or not voting: None.

Total 0

**SB 104** - Representative Salomon moved **SB 104** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Greef, Hagstrom, Harris, Hayman, Hill, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, White, Williams, Wilson, Woods, Mr. Speaker.

Total 65

Nays: J. Bennett, Brodehl, B. Brown, Cook, Court, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Hertz, Hess, Hollandsworth, Jones, Lamm, Mandeville, Manzella, Miller, Monforton, Mortensen, Olszewski, Pinocci, Randall, Regier, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, Wittich, Zolnikov.

Total 35

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion Carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Tropila moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Cook, Essmann, Hertz, Randall, Schwaderer.

Total 5



HOUSE JOURNAL  
THIRTY-FIRST LEGISLATIVE DAY - FEBRUARY 11, 2015

Excused: Smith.

Total 1

Absent or not voting: None.

Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 145** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Shaw, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 89

Nays: J. Bennett, B. Brown, Hess, Peppers, Schreiner, Schwaderer, Tropila, Webber, Wittich, Zolnikov.

Total 10

Excused: Smith.

Total 1

Absent or not voting: None.

Total 0

**HB 331** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber,

HOUSE JOURNAL  
THIRTY-FIRST LEGISLATIVE DAY - FEBRUARY 11, 2015

Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: Smith.

Total 1

Absent or not voting: None.

Total 0

**HB 372** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: Smith.

Total 1

Absent or not voting: None.

Total 0

**SB 16** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner,

HOUSE JOURNAL  
THIRTY-FIRST LEGISLATIVE DAY - FEBRUARY 11, 2015

Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 99

Nays: None.  
Total 0

Excused: Smith.  
Total 1

Absent or not voting: None.  
Total 0

**SB 19** concurred in as follows:

Yeas: Ballance, B. Bennett, Berglee, Brodehl, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.  
Total 87

Nays: J. Bennett, Berry, B. Brown, Cook, Fitzpatrick, Hertz, Lamm, McKamey, Schwaderer, White, Wittich, Zolnikov.  
Total 12

Excused: Smith.  
Total 1

Absent or not voting: None.  
Total 0

**SB 27** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson,

HOUSE JOURNAL  
THIRTY-FIRST LEGISLATIVE DAY - FEBRUARY 11, 2015

Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 97

Nays: Schwaderer, Zolnikov.

Total 2

Excused: Smith.

Total 1

Absent or not voting: None.

Total 0

**SB 46** concurred in as follows:

Yeas: Ballance, B. Bennett, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 87

Nays: J. Bennett, Berglee, Brodehl, Glimm, Hagstrom, Harris, Hess, Lang, Redfield, Schwaderer, Welborn, White.

Total 12

Excused: Smith.

Total 1

Absent or not voting: None.

Total 0

**SB 78** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland,

HOUSE JOURNAL  
THIRTY-FIRST LEGISLATIVE DAY - FEBRUARY 11, 2015

Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 99

Nays: None.  
Total 0

Excused: Smith.  
Total 1

Absent or not voting: None.  
Total 0

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Thursday, February 12, 2015. Motion carried.

House adjourned at 2:30 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
THIRTY-SECOND LEGISLATIVE DAY**

Helena, Montana  
February 12, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Welborn.  
Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

**BILLS** (Welborn, Chair):

2/12/2015

Correctly printed: **HB 167, HB 296, HB 328, HB 353, SB 32, SB 67, SB 85, SB 163.**

Correctly engrossed: **HB 219, HB 223, HB 245, HB 305, HB 337, HB 373, HB 393, HJR 7, HJR 11, SB 142.**

Correctly enrolled: **HB 64, HB 136.**

Transmitted to the Senate: **HB 145, HB 331, HB 372, SB 16, SB 19, SB 27, SB 46, SB 78.**

Signed by the Chief Clerk of the House at 4:06 p.m., February 12, 2015: **HB 56, HB 75, HB 81, HB 110, HB 139, HB 143.**

Signed by the Speaker at 3:50 p.m., February 12, 2015: **HB 56, HB 75, HB 81, HB 110, HB 139, HB 143.**

Delivered to the Governor for approval at 10:51 a.m., February 12, 2015: **HB 31, HB 41, HB 52, HB 57, HB 66, HB 79.**

**REPORTS OF STANDING COMMITTEES**

**APPROPRIATIONS** (Ballance, Chair):

2/11/2015

**HB 167**, do pass. Report adopted.

**SB 32**, be concurred in. Report adopted.

**BUSINESS AND LABOR** (Berry, Chair):

2/12/2015

**HB 223**, introduced bill, be amended as follows:

1. Page 1, line 12.

**Following:** the first "certificate"

**Strike:** ", "

**Insert:** "and"

**Following:** the second "certificate"

**Strike:** ", "

**Insert:** "issued by a county under 7-4-2631 or the department of public health and human services under 50-15-111"

**Strike:** "informal"

**Insert:** "informational"

HOUSE JOURNAL  
THIRTY-SECOND LEGISLATIVE DAY - FEBRUARY 12, 2015

2. Page 1, line 13.

**Strike:** "a county or"

3. Page 1, lines 13 through 14.

**Strike:** "under" on line 13 through "respectively" on line 14

4. Page 1.

**Following:** line 16

**Insert:** "(3) The board may not reduce license fees to less than the average license fees of the four states contiguous to Montana."

5. Page 2, line 15.

**Strike:** "\$8;"

**Insert:** "\$6; and"

6. Page 2, line 16.

**Strike:** subsection (iii) in its entirety

**Renumber:** subsequent subsection

7. Page 3, line 1.

**Strike:** "subsections"

**Insert:** "subsection"

**Following:** "(1)(l)(ii)"

**Strike:** "and (1)(l)(iii)"

8. Page 3, line 13.

**Strike:** "informal"

**Insert:** "informational"

And, as amended, do pass. Report adopted.

**SB 85**, be concurred in. Report adopted.

**SB 163**, be concurred in. Report adopted.

**EDUCATION** (Laszloffy, Chair):

2/11/2015

**HB 373**, do pass. Report adopted.

**FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS** (Lang, Chair): 2/11/2015

**HB 296**, do pass. Report adopted.

**HB 353**, do pass. Report adopted.

HOUSE JOURNAL  
THIRTY-SECOND LEGISLATIVE DAY - FEBRUARY 12, 2015

**HB 393**, introduced bill, be amended as follows:

1. Page 1, line 13.

**Strike:** "owner or"

**Following:** "operator"

**Insert:** "or producer"

And, as amended, do pass. Report adopted.

**HJR 7**, introduced joint resolution, be amended as follows:

1. Page 1, line 8.

**Following:** "establish"

**Strike:** "a"

**Insert:** "the"

**Strike:** "a wireless"

**Insert:** "an increasingly"

2. Page 1, line 10 through line 22.

**Strike:** line 10 through line 22 in their entirety

3. Page 1, line 23.

**Following:** "challenges"

**Strike:** "of"

**Insert:** "associated with evolving"

**Following:** "9-1-1"

**Insert:** "networks and technologies will"

**Strike:** "a new and innovative"

**Insert:** "statewide innovation and"

4. Page 1, line 24.

**Strike:** "approach and statewide"

**Strike:** "is a critical part of the solution"

5. Page 1, line 30 through page 2, line 7.

**Strike:** subsection (1) through subsection (5) in their entirety

**Insert:** "(1) assess the state and federal regulatory and statutory environment affecting next-generation 9-1-1; and

(2) study and make recommendations for the implementation, management, and operation and ongoing development of next-generation 9-1-1 emergency communications services."

6. Page 2, line 8.

**Strike:** "any study"

**Insert:** "the development of a plan for advancing next-generation 9-1-1 in Montana must"



HOUSE JOURNAL  
THIRTY-SECOND LEGISLATIVE DAY - FEBRUARY 12, 2015

7. Page 2, line 9.

**Following:** "limited to"

**Insert:** "a representative of"

**Following:** "90-1-405,"

**Insert:** "a representative from the department of administration's public safety communications bureau,"

8. Page 2, line 10.

**Strike:** "user groups"

**Insert:** "emergency first responder groups"

9. Page 2, line 10 through line 11.

**Strike:** "including" on line 10 through "bureau," on line 11

10. Page 2, line 11.

**Strike:** "commissioners"

**Insert:** "government"

**Strike:** "officials"

11. Page 2, line 12.

**Strike:** "coordinators"

**Strike:** "and 9-1-1 and emergency response groups"

**Insert:** "telecommunications service providers of emergency communications services serving urban and rural areas"

And, as amended, be adopted. Report adopted.

**HJR 11**, be adopted. Report adopted.

**HUMAN SERVICES** (Wittich, Chair):

2/11/2015

**HB 305**, introduced bill, be amended as follows:

1. Page 1, line 13 through line 15.

**Strike:** subsection (1) in its entirety

**Renumber:** subsequent subsections

2. Page 1, line 16.

**Following:** "child welfare"

**Strike:** "and licensing"

3. Page 1, line 17.

**Strike:** "national standards"

**Insert:** "reasonable caseload standards to comply with national and state requirements"

HOUSE JOURNAL  
THIRTY-SECOND LEGISLATIVE DAY - FEBRUARY 12, 2015

4. Page 1, line 18 through line 21.

**Strike:** subsection (3) through subsection (4) in their entirety

**Renumber:** subsequent subsections

**Insert:** "(2) develop and implement public-private pilot programs in which licensed private child-placing agencies oversee the licensure, training, and support for family foster care;"

5. Page 1, line 24 through line 29.

**Strike:** subsection (6) in its entirety

**Renumber:** subsequent subsection

6. Page 1, line 30.

**Following:** "governor"

**Strike:** "and"

**Insert:** ", the"

**Following:** "attorney general"

**Insert:** ", and the children, families, health, and human services interim committee"

7. Page 2, line 2.

**Following:** "section;"

**Strike:** "and"

8. Page 2, line 4.

**Following:** "system"

**Insert:** "; and (c) the outcomes of the public-private pilot programs established pursuant to subsection (2)"

9. Page 2, line 6.

**Strike:** "\$3 million"

**Insert:** "\$1 million"

10. Page 2, line 7 through line 8.

**Following:** "2015" on line 7

**Strike:** ", " on line 7 through "July 1, 2015" on line 8

11. Page 2, line 9.

**Strike:** "the purposes established in [section 1]"

**Insert:** "up to 27 full-time equivalent field staff positions in the child and family services division, including staff in the centralized intake unit"

12. Page 2, line 11 through line 14.

**Following:** "**Legislative intent.**"

**Strike:** remainder of line 11 through line 14

**Insert:** "The appropriation provided for in [section 2] is:

(1) a one-time-only appropriation; and

(2) to be used for field staff in the centralized intake unit in Helena and in Billings,

HOUSE JOURNAL  
THIRTY-SECOND LEGISLATIVE DAY - FEBRUARY 12, 2015

Bozeman, Butte, Conrad, Glasgow, Great Falls, Havre, Helena, and Missoula."

13. Page 2, line 18.

**Insert:** "COORDINATION SECTION. Section 5. Coordination instruction. If both House Bill No. 2 and [this act] are passed and approved and House Bill No. 2 contains a general fund appropriation for the governor's office, then the House Bill No. 2 general fund appropriation for the governor's office must be reduced by \$500,000."

**Renumber:** subsequent section

And, as amended, do pass. Report adopted.

**SB 142**, be amended as follows:

1. Page 4, line 15.

**Strike:** "18"

**Insert:** "2"

And, as amended, be concurred in. Report adopted.

**HUMAN SERVICES** (Wittich, Chair):

2/11/2015

**HB 245**, introduced bill, be amended as follows:

1. Title, page 1, line 5.

**Following:** "MILK;"

**Insert:** "PROVIDING FOR HERD SHARING;"

2. Title, page 1, line 7.

**Strike:** "MAKING CONSUMERS"

**Insert:** "PROVIDING FOR A WARNING THAT CONSUMERS ARE"

3. Page 1, line 15.

**Following:** "through"

**Strike:** "5"

**Insert:** "4"

4. Page 1, line 17.

**Strike:** "5"

**Insert:** "4"

5. Page 1, line 21.

**Strike:** "15"

**Insert:** "7"

**Following:** "cows,"

**Strike:** "30"

**Insert:** "15"

HOUSE JOURNAL  
THIRTY-SECOND LEGISLATIVE DAY - FEBRUARY 12, 2015

**Following:** "or"

**Strike:** "30"

**Insert:** "15"

6. Page 2, line 18.

**Following:** line 17

**Insert:** "(5) (a) A person who sells shares in a herd is not subject to the provisions of this section if the owner of a herd share obtains for human consumption raw milk from that herd.

(b) To qualify for the herd-share exemption, the owner of the herd who sells shares in the herd shall enter into a written contract with the share owner that includes a bill of sale, stock certificate, or other written evidence of a bona fide ownership interest in the herd. The contract must stipulate that the share owner is entitled to receive a share of raw milk from the herd. The contract must contain a conspicuous notification that the raw milk is not pasteurized."

7. Page 3, line 10.

**Following:** line 9

**Insert:** "(d) The person who produces raw milk or raw milk products is responsible for testing costs."

8. Page 3, line 12.

**Following:** "labeling"

**Insert:** "-- liability"

9. Page 3, line 21 through line 22.

**Strike:** ""Warning" on line 21 through "milk" on line 22

**Insert:** ""This product, sold for personal use and not for resale, is fresh whole milk that has not been pasteurized. Neither this farm nor the milk sold by this farm has been inspected by the state of Montana. The consumer assumes liability for health issues that may result from the consumption of this product"

10. Page 3, line 27.

**Strike:** ""Warning" through "milk" on line 27

**Insert:** ""This product, sold for personal use and not for resale, is fresh whole milk that has not been pasteurized. Neither this farm nor the milk sold by this farm has been inspected by the state of Montana. The consumer assumes liability for health issues that may result from the consumption of this product"

11. Page 4, line 5 through line 6.

**Strike:** section 5 in its entirety

**Renumber:** subsequent sections

12. Page 16, line 6.

**Strike:** "5"

**Insert:** "4"

HOUSE JOURNAL  
THIRTY-SECOND LEGISLATIVE DAY - FEBRUARY 12, 2015

13. Page 16, line 8.

**Strike:** "5"

**Insert:** "4"

And, as amended, do pass. Report adopted.

**HB 337**, introduced bill, be amended as follows:

1. Page 2, line 12.

**Strike:** "\$22,500"

**Insert:** "\$30,000"

2. Page 4, line 9.

**Strike:** "\$22,500"

**Insert:** "\$30,000"

And, as amended, do pass. Report adopted.

**JUDICIARY** (Bennett, Chair):

2/11/2015

**HB 219**, introduced bill, be amended as follows:

1. Page 2, line 5.

**Following:** line 5

**Insert:** "(3) For high-risk sexual offenders who are no longer under the supervision of the department of corrections, the residential and geographic restrictions provided in subsections (1)(a) and (1)(e) do not apply if the high-risk sexual offender possesses an approved safety plan from a sexual offender evaluator to mitigate the risk of reoffending and protect public safety. The safety plan must be reevaluated annually by a sexual offender evaluator to ensure any conditions or requirements are adequate and protect public safety."

**Renumber:** subsequent subsections

And, as amended, do pass. Report adopted.

**HB 328**, do pass. Report adopted.

**SB 67**, be concurred in. Report adopted.

**MESSAGES FROM THE SENATE**

**Senate bills** passed and transmitted to the House for concurrence:

2/10/2015

**SB 123**, introduced by Tutvedt

**SB 149**, introduced by Rosendale

**SB 237**, introduced by Blasdel

HOUSE JOURNAL  
THIRTY-SECOND LEGISLATIVE DAY - FEBRUARY 12, 2015

**MESSAGES FROM THE GOVERNOR**

February 12, 2015

The Honorable Austin Knudsen  
Speaker of the House  
State Capitol  
Helena, Montana 59620

Dear Speaker Knudsen:

Please be informed that I have signed **House Bill 63** sponsored by Representative Swanson on February 12, 2015.

Sincerely,

STEVE BULLOCK  
Governor

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 463**, introduced by K. McCarthy, B. Bennett, R. Cook, A. Doane, B. Harris, J. Hinkle, D. Jones, R. Lynch, R. Mehlhoff, M. Miller, D. Mortensen, R. Pinocci, N. Schwaderer, L. Whitford, A. Wittich, D. Zolnikov, referred to Judiciary.

**HB 464**, introduced by Z. Brown, G. Hertz, E. Lieser, W. McKamey, referred to State Administration.

**HB 465**, introduced by T. Manzella, referred to Natural Resources.

**HB 466**, introduced by M. Miller, referred to Judiciary.

**HB 467**, introduced by M. Miller, referred to Transportation.

**HB 468**, introduced by G. Pierson, referred to Human Services.

**HB 469**, introduced by B. Bennett, W. Curdy, J. Eck, E. Hill, R. Lynch, N. McConnell, C. Pease-Lopez, T. Steenberg, K. Swanson, referred to State Administration.

**HB 470**, introduced by C. Clark, referred to Business and Labor.

**HB 471**, introduced by R. Cook, referred to Taxation.

**HB 472**, introduced by T. Jacobson, G. Hertz, D. Jones, referred to Human Services.

**HB 473**, introduced by T. Jacobson, referred to Transportation.

**HB 474**, introduced by J. Eck, D. Ankney, S. Hess, S. Laszloffy, referred to Judiciary.

**HB 475**, introduced by R. Brodehl, T. Brown, M. Cuffe, R. Ehli, C. Glimm, referred to Education.

**HB 476**, introduced by N. McConnell, referred to Natural Resources.

**HB 477**, introduced by G. Bennett, referred to Judiciary.

**HB 478**, introduced by K. Williams, referred to Agriculture.

HOUSE JOURNAL  
THIRTY-SECOND LEGISLATIVE DAY - FEBRUARY 12, 2015

**HB 479**, introduced by A. Olszewski, E. Arntzen, N. Ballance, G. Bennett, S. Berglee, J. Brenden, B. Brown, D. Brown, T. Burnett, A. Doane, R. Ehli, C. Fiscus, C. Glimm, K. Hansen, S. Hess, D. Howard, A. Knudsen, M. Monforton, D. Mortensen, M. Noland, R. Osmundson, R. Pinocci, K. Regier, T. Richmond, M. Rosendale, C. Smith, N. Swandal, J. Taylor, F. Thomas, B. Tschida, R. Webb, J. Windy Boy, referred to Human Services.

**HB 480**, introduced by M. Miller, referred to Transportation.

**HB 481**, introduced by C. Hunter, referred to Business and Labor.

**HB 482**, introduced by C. Hunter, referred to Judiciary.

**HB 483**, introduced by E. Lieser, W. Curdy, G. Custer, D. Hayman, E. McClafferty, K. Swanson, referred to State Administration.

**HB 484**, introduced by S. Lavin, referred to Local Government.

**HB 485**, introduced by A. Wittich, D. Zolnikov, referred to Federal Relations, Energy, and Telecommunications.

**HB 486**, introduced by R. Cook (by request of the House Transportation Standing Committee), referred to Transportation.

**HB 487**, introduced by D. Jones, referred to Appropriations.

The following Senate bills were introduced, read first time, and referred to committees:

**SB 123**, introduced by B. Tutvedt, E. Buttrey, T. Facey, D. Ankney, referred to Business and Labor.

**SB 149**, introduced by M. Rosendale, A. Olszewski, referred to Human Services.

**SB 237**, introduced by M. Blasdel, referred to Local Government.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion Carried. Representative McKamey in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 262** - Representative White moved **HB 262** do pass. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Court, Cuffe, Curdy, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Funk, Garner, Greef, Hagstrom, Hayman, Hess, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Pease-Lopez, Perry, Pierson, Pope, Price, Redfield, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Webber, Welborn, White, Williams, Wilson, Woods.

Total 57

HOUSE JOURNAL  
THIRTY-SECOND LEGISLATIVE DAY - FEBRUARY 12, 2015

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Clark, Cook, Custer, Doane, Ehli, Fitzpatrick, Flynn, Glimm, Harris, Hertz, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Mandeville, Manzella, McKamey, Monforton, Noland, Olszewski, Osmundson, Peppers, Person, Pinocci, Randall, Regier, Ricci, Richmond, Smith, Tropila, Tschida, Wagoner, Wittich, Zolnikov, Mr. Speaker.

Total 43

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 270** - Representative Richmond moved **HB 270** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: Court, Hayman, MacDonald, Olsen, Perry, Smith, Wilson.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 342** - Representative B. Bennett moved **HB 342** do pass. Motion carried as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hagstrom, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Schwaderer, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 51



HOUSE JOURNAL  
THIRTY-SECOND LEGISLATIVE DAY - FEBRUARY 12, 2015

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Shaw, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 49

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 346** - Representative Fiscus moved **HB 346** do pass. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Clark, Cook, Court, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Hagstrom, Harris, Hertz, Hollandsworth, Holmlund, Jones, Kipp III, Lamm, Lang, Laszloffy, Manzella, McKamey, Mehlhoff, Meyers, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Regier, Ricci, Richmond, Schwaderer, Smith, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 50

Nays: B. Bennett, Berry, Z. Brown, Burnett, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Greef, Hayman, Hess, Hill, Hunter, Jacobson, Karjala, Kelker, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Miller, Monforton, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Salomon, Schreiner, Shaw, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 50

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HJR 8** - Representative Garner moved **HJR 8** be adopted. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson,

HOUSE JOURNAL  
THIRTY-SECOND LEGISLATIVE DAY - FEBRUARY 12, 2015

Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 93

Nays: Burnett, Cook, Doane, Hess, McKamey, Smith, Wagoner.  
Total 7

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HJR 9** - Representative Hill moved **HJR 9** be adopted. Motion **failed** as follows:

Yeas: B. Bennett, Z. Brown, Clark, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Funk, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 50

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Meyers, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 50

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 1** - Representative Regier moved consideration of **SB 1** be passed for the day. Motion Carried.

**SB 50** - Representative Hess moved **SB 50** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann,

HOUSE JOURNAL  
THIRTY-SECOND LEGISLATIVE DAY - FEBRUARY 12, 2015

Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 51** - Representative Williams moved **SB 51** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berry, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Mr. Speaker.

Total 71

Nays: J. Bennett, Berglee, Brodehl, B. Brown, Cuffe, Doane, Fitzpatrick, Glimm, Hess, Lamm, Laszloffy, Manzella, Meyers, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov.

Total 29

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 65** - Representative Essmann moved **SB 65** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann,

HOUSE JOURNAL  
THIRTY-SECOND LEGISLATIVE DAY - FEBRUARY 12, 2015

Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 117** - Representative Cook moved **SB 117** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Funk, Garner, Greef, Hagstrom, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Lieser, Lynch, MacDonald, Mandeville, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.  
Total 74

Nays: J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Fitzpatrick, Flynn, Glimm, Harris, Hertz, Hess, Laszloffy, Lavin, Manzella, McCarthy, Monforton, Mortensen, Noland, Osmundson, Regier, Schwaderer, Staffanson, Wagoner, White, Wittich, Zolnikov.  
Total 26

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
THIRTY-SECOND LEGISLATIVE DAY - FEBRUARY 12, 2015

**SB 164** - Representative Fitzpatrick moved **SB 164** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dunwell, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Lavin, Lieser, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Dudik, Eck, Laszloffy, MacDonald, McConnell, Olsen.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion Carried. Committee arose. House resumed. Mr. Speaker presiding. Chair McKamey moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Hagstrom.

Total 1

Excused: None.

Total 0

HOUSE JOURNAL  
THIRTY-SECOND LEGISLATIVE DAY - FEBRUARY 12, 2015

Absent or not voting: None.

Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 24** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 89

Nays: B. Brown, Burnett, Glimm, Manzella, Miller, Monforton, Noland, Randall, Schwaderer, Wittich, Zolnikov.

Total 11

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 33** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

HOUSE JOURNAL  
THIRTY-SECOND LEGISLATIVE DAY - FEBRUARY 12, 2015

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 34** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 35** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

HOUSE JOURNAL  
THIRTY-SECOND LEGISLATIVE DAY - FEBRUARY 12, 2015

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 47** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 82

Nays: B. Brown, Burnett, Doane, Fitzpatrick, Glimm, Hess, Lamm, Manzella, Monforton, Mortensen, Noland, Pinocci, Randall, Schwaderer, Staffanson, Tschida, Wittich, Zolnikov.

Total 18

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 136** passed as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Fiscus, Fitzpatrick, Funk, Garner, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Pierson, Pope, Price, Randall, Redfield, Regier, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Williams, Wilson, Woods, Mr. Speaker.

Total 65

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Jones, Lamm, Laszloffy, Manzella, Miller,



HOUSE JOURNAL  
THIRTY-SECOND LEGISLATIVE DAY - FEBRUARY 12, 2015

Monforton, Mortensen, Noland, Person, Pinocci, Ricci, Richmond, Salomon, Staffanson,  
Tschida, White, Wittich, Zolnikov.  
Total 34

Excused: None.  
Total 0

Absent or not voting: Welborn.  
Total 1

**HB 146** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Custer,  
Doane, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz,  
Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Lavin, Mandeville, Manzella, McKamey,  
Meyers, Monforton, Moore, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier,  
Ricci, Richmond, Schwaderer, Staffanson, Steenberg, Tschida, Wagoner, Wittich, Zolnikov, Mr.  
Speaker.  
Total 51

Nays: B. Bennett, Z. Brown, Clark, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk,  
Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Laszloffy, Lieser, Lynch, MacDonald,  
McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Mortensen, Noonan, Olsen, Pease-Lopez,  
Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Swanson,  
Tropila, Webber, Welborn, White, Williams, Wilson, Woods.  
Total 49

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 319** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook,  
Court, Cuffe, Curdy, Custer, Doane, Dudik, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner,  
Glimm, Greef, Hagstrom, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jones, Karjala,  
Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McCarthy, McClafferty,  
McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland,  
Noonan, Olszewski, Osmundson, Perry, Person, Pinocci, Pope, Price, Randall, Redfield,  
Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg,  
Swanson, Tschida, Wagoner, Welborn, White, Williams, Wilson, Wittich, Zolnikov, Mr.  
Speaker.  
Total 81

HOUSE JOURNAL  
THIRTY-SECOND LEGISLATIVE DAY - FEBRUARY 12, 2015

Nays: B. Bennett, Dunwell, Eck, Ellis, Funk, Harris, Hayman, Jacobson, Lieser, Lynch, MacDonald, Olsen, Pease-Lopez, Peppers, Pierson, Schreiner, Tropila, Webber, Woods.  
Total 19

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 343** passed as follows:

Yeas: B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 89

Nays: Ballance, J. Bennett, B. Brown, Glimm, Hess, Manzella, Monforton, Noland, Redfield, Schwaderer, Wittich.  
Total 11

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 348** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Court, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 56

HOUSE JOURNAL  
THIRTY-SECOND LEGISLATIVE DAY - FEBRUARY 12, 2015

Nays: B. Bennett, Z. Brown, Clark, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 44

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 387** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 79

Nays: J. Bennett, Brodehl, B. Brown, Cook, Doane, Essmann, Fitzpatrick, Flynn, Glimm, Hertz, Jones, Lamm, Laszloffy, Manzella, McKamey, Monforton, Mortensen, Schwaderer, Wagoner, Welborn, Wittich.

Total 21

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 29** concurred in as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Flynn, Funk, Garner, Greef, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noonan, Olsen, Osmundson,

HOUSE JOURNAL  
THIRTY-SECOND LEGISLATIVE DAY - FEBRUARY 12, 2015

Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 77

Nays: J. Bennett, Brodehl, B. Brown, Doane, Essmann, Fitzpatrick, Glimm, Hagstrom, Hertz, Lamm, Mandeville, Manzella, Moore, Noland, Olszewski, Peppers, Randall, Regier, Schwaderer, Tropila, Wagoner, White, Wittich.

Total 23

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 58** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Williams, Wilson, Wittich, Woods.

Total 78

Nays: Brodehl, B. Brown, Cuffe, Fitzpatrick, Flynn, Harris, Lamm, Manzella, Miller, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.

Total 22

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 59** concurred in as follows:

Yeas: Ballance, B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff,

HOUSE JOURNAL  
THIRTY-SECOND LEGISLATIVE DAY - FEBRUARY 12, 2015

Miller, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 76

Nays: J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Fitzpatrick, Flynn, Glimm, Hess, Lamm, Laszloffy, Lavin, Manzella, Meyers, Monforton, Mortensen, Noland, Randall, Schwaderer, Tschida, Welborn, White, Zolnikov.

Total 24

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 62** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Berry, B. Brown, Lamm, McKamey, Randall.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 81** concurred in as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser,

HOUSE JOURNAL  
THIRTY-SECOND LEGISLATIVE DAY - FEBRUARY 12, 2015

Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 72

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Glimm, Hagstrom, Harris, Hertz, Hess, Jones, Lamm, Laszloffy, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Olszewski, Randall, Schwaderer, Wagoner, Wittich, Zolnikov.  
Total 28

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 104** concurred in as follows:

Yeas: B. Bennett, Berry, Z. Brown, Burnett, Clark, Cuffe, Curdy, Dunwell, Eck, Ellis, Fiscus, Funk, Greef, Hagstrom, Harris, Hayman, Hill, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 59

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Cook, Court, Custer, Doane, Dudik, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Hertz, Hess, Hollandsworth, Jones, Lamm, Laszloffy, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Pinocci, Randall, Redfield, Regier, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, Wittich, Zolnikov.  
Total 41

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**MOTIONS**

Majority Leader Regier moved **HB 453** be moved from the Business and Labor Committee to the Agriculture Committee.

HOUSE JOURNAL  
THIRTY-SECOND LEGISLATIVE DAY - FEBRUARY 12, 2015

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Friday, February 13, 2015. Motion carried.

House adjourned at 2:51 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
THIRTY-THIRD LEGISLATIVE DAY**

Helena, Montana  
February 13, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Ricci. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Clark, excused. Quorum present.

**BILLS** (Welborn, Chair):

2/13/2015

Correctly printed: **HB 123, HB 279, HB 358, HB 359, HB 367, HB 392, SB 52, SB 63, SB 64, SB 72, SB 76, SB 77, SB 105, SB 135.**

Correctly engrossed: **HB 140, HB 156, HB 228, HB 310, HB 354, HB 363, HB 390, HB 396, HB 400, SB 60, SB 139.**

Correctly enrolled: **HB 91, HB 94, HB 112, HB 157, HB 184.**

Transmitted to the Senate: **HB 24, HB 33, HB 34, HB 35, HB 47, HB 146, HB 319, HB 343, HB 348, HB 387, SB 29, SB 58, SB 59, SB 62, SB 81, SB 104.**

Signed by the Speaker at 3:35 p.m., February 13, 2015: **HB 67.**

Signed by the Speaker at 3:40 p.m., February 13, 2015: **HB 64, HB 84, HB 122.**

Signed by the Chief Clerk of the House at 4:30 p.m., February 13, 2015: **HB 64, HB 67, HB 84, HB 122.**

Signed by the President at 12:10 p.m., February 13, 2015: **HB 56, HB 75, HB 81, HB 110, HB 139, HB 143.**

Delivered to the Governor for approval at 2:30 p.m., February 13, 2015: **HB 56, HB 75, HB 81, HB 110, HB 139, HB 143.**

**COMMUNICATIONS AND PETITIONS**

Mr. Speaker: We, your committee on Legislative Administration, having examined the daily journals for the sixteenth, seventeenth, eighteenth, nineteenth, and twentieth legislative days, find the same to be correct.

Representative Welborn, Chair

**REPORTS OF STANDING COMMITTEES**

**AGRICULTURE** (Redfield, Chair):

2/12/2015

**HB 390**, introduced bill, be amended as follows:

1. Title, page 1, line 7.

**Following:** "MCA;"

**Strike:** "AND"

2. Title, page 1, line 8.

**Following:** "4.6.504"



HOUSE JOURNAL  
THIRTY-THIRD LEGISLATIVE DAY - FEBRUARY 13, 2015

**Insert:** "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 3, line 20.

**Following:** line 20

**Insert:** "NEW SECTION. Section 4. Effective date. [This act] is effective on passage and approval."

And, as amended, do pass. Report adopted.

**APPROPRIATIONS** (Ballance, Chair):

2/12/2015

**HB 123**, do pass. Report adopted.

**HB 354**, introduced bill, be amended as follows:

1. Title, page 1, line 4 through line 5.

**Following:** "MITIGATION" on line 4

**Strike:** "STATE" on line 4 through "ACCOUNT" on line 5

**Insert:** "PROGRAM"

2. Title, page 1, line 6.

**Following:** "DISTRIBUTION"

**Strike:** "FROM THE ACCOUNT"

3. Page 1, line 11.

**Strike:** "account"

**Insert:** "program"

4. Page 1, line 12.

**Strike:** "account" on line 12 through "credit of" on line 12

**Insert:** "program administered by"

5. Page 1, line 14.

**Strike:** "Money in the account"

**Insert:** "Funds for the program"

6. Page 1, line 16.

**Strike:** "account"

**Insert:** "program"

7. Page 1, line 21.

**Following:** "distributing funds"

**Strike:** "to"

**Insert:** "for"

**Strike:** "account"

**Insert:** "program"

HOUSE JOURNAL  
THIRTY-THIRD LEGISLATIVE DAY - FEBRUARY 13, 2015

8. Page 1, line 25.

**Strike:** "account"

**Insert:** "program"

9. Page 1, line 28 through page 2, line 4.

**Strike:** section 2 through section 3 in their entirety

**Renumber:** subsequent sections

10. Page 2, line 7.

**Following:** "chapter" in both places

**Strike:** "15"

**Insert:** "9"

11. Page 2, line 7.

**Following:** "part" in both places

**Strike:** "10"

**Insert:** "2"

And, as amended, do pass. Report adopted.

**BUSINESS AND LABOR** (Berry, Chair):

2/13/2015

**HB 358**, do pass. Report adopted.

**HB 363**, do pass. Report adopted.

**HB 396**, do pass. Report adopted.

**SB 52**, be concurred in. Report adopted.

**SB 76**, be concurred in. Report adopted.

**SB 77**, be concurred in. Report adopted.

**SB 105**, be concurred in. Report adopted.

**SB 135**, be concurred in. Report adopted.

**FISH, WILDLIFE AND PARKS** (Flynn, Chair):

2/12/2015

**HB 140**, introduced bill, be amended as follows:

1. Title, page 1, line 11.

**Strike:** "CAPPING"

**Insert:** "CLARIFYING"

2. Title, page 1, line 20.

**Following:** "87-2-510,"

**Insert:** "87-2-511"

3. Page 4, line 11.

**Strike:** "31(2)"

**Insert:** "32(2)"

HOUSE JOURNAL  
THIRTY-THIRD LEGISLATIVE DAY - FEBRUARY 13, 2015

4. Page 4, line 20.

**Strike:** "31(2)"

**Insert:** "32(2)"

5. Page 7, line 13.

**Strike:** "\$897"

**Insert:** "\$981"

6. Page 7, line 21.

**Strike:** "Except as provided in subsection (5), the"

**Insert:** "The"

7. Page 7, line 24.

**Following:** "(CPI-U)."

**Insert:** "The adjusted cost must be rounded down to the nearest even-numbered amount"

8. Page 7, line 25 through line 26.

**Strike:** subsection (5) in its entirety

9. Page 8, line 10.

**Strike:** "31(1)"

**Insert:** "32(1)"

10. Page 8, line 21.

**Strike:** "\$527"

**Insert:** "\$577"

11. Page 8, line 28.

**Strike:** "Except as provided in subsection (1)(d), the"

**Insert:** "The"

12. Page 8, line 30.

**Following:** "(CPI-U)."

**Insert:** "The adjusted cost must be rounded down to the nearest even-numbered amount."

13. Page 9, line 1 through line 2.

**Strike:** subsection (d) in its entirety

14. Page 9.

**Following:** line 6

**Insert:** "**Section 17.** Section 87-2-511, MCA, is amended to read:

**"87-2-511. Sale and use of Class B-10, Class B-11, and Class B-13 licenses.** (1) The department shall offer the Class B-10 and Class B-11 licenses for sale on March 15, with 2,000 of the authorized Class B-11 licenses reserved for applicants indicating their intent to hunt with a resident sponsor on land owned by that sponsor, as provided in subsections (2) and (3).

HOUSE JOURNAL  
THIRTY-THIRD LEGISLATIVE DAY - FEBRUARY 13, 2015

(2) Each application for a resident-sponsored license under subsection (1) must contain a written affirmation by the applicant that the applicant intends to hunt with a resident sponsor and must indicate the name of the resident sponsor with whom the applicant intends to hunt. In addition, the application must be accompanied by a certificate that is signed by a resident sponsor and that affirms that the resident sponsor will:

(a) direct the applicant's hunting and advise the applicant of game and trespass laws of the state;

(b) submit to the department, in a manner prescribed by the department, complete records of who hunted with the resident sponsor, where they hunted, and what game was taken; and

(c) accept no monetary consideration for enabling the nonresident applicant to obtain a license or for providing any services or assistance to the nonresident applicant, except as provided in Title 37, chapter 47, and this title.

(3) The certificate signed by the resident sponsor pursuant to subsection (2) must also affirm that the sponsor is a landowner and that the applicant under the certificate will hunt only on land owned by the sponsor. If there is a sufficient number of licenses set forth in subsection (1), the department shall issue a license to one applicant sponsored by each resident landowner who owns 640 or more contiguous acres. If enough licenses remain for a second applicant for each resident landowner sponsor, the department shall issue a license to the second applicant sponsored by each resident landowner. The department shall conduct a drawing for any remaining resident-sponsored licenses. If there is not a sufficient number of licenses set forth in subsection (1) to allow each resident landowner who owns 640 contiguous acres to sponsor one applicant, the department shall conduct a drawing for the resident-sponsored licenses. However, a resident sponsor of a Class B-11 license may submit no more than 15 certificates of sponsorship in any license year.

(4) A nonresident who hunts under the authority of a resident landowner-sponsored license shall conduct all deer hunting on the deeded lands of the sponsoring landowner.

(5) All Class B-10 and Class B-11 licenses that are not reserved under subsection (1) must be issued by a drawing among all applicants for the respective unreserved licenses.

(6) (a) An applicant who applies for a Class B-10 license and an applicable special elk permit but who is not successful in a drawing for the special elk permit may choose to retain only the Class B-7 portion of the Class B-10 license. The department shall sell the Class B-7 portion as a Class B-11 license for the fee set in 87-2-510. The provisions of this subsection (6)(a) do not affect the limits established in 87-2-510(2). The remaining elk tag portion of the Class B-10 license must be sold by the department as an elk-only combination license for a fee ~~that is \$150 less than that set for a Class B-10 license in 87-2-505~~ of \$831.

(b) Subject to the statutory quota provided in 87-2-505, if the department determines all available elk-only combination licenses have sold by December 1 in any license year, the cost of the elk-only combination license must be adjusted for the subsequent license year based on any change to the consumer price index from the previous year. The consumer price index to be used for calculations is the consumer price index for all urban consumers (CPI-U). The adjusted cost must be rounded down to the nearest even-numbered amount and applies to subsequent license years, unless the conditions of this subsection are met.

~~(b)(c)~~ The department may retain 10% of the Class B-10 license fee if an applicant chooses to buy only a portion of the Class B-10 license pursuant to subsection (6)(a) after the Class B-10 license has been issued to the applicant.

~~(c)(d)~~ The revenue collected pursuant to this subsection (6) must be deposited in the state

HOUSE JOURNAL  
THIRTY-THIRD LEGISLATIVE DAY - FEBRUARY 13, 2015

special revenue account to the credit of the department and may not be allocated pursuant to other statutory requirements generally applicable to Class B-10 or Class B-11 licenses.

(7) Subject to 87-2-522(2), at the time of application, an applicant for a Class B-13 license shall provide the name and automated licensing system number of the adult immediate family member who will accompany the youth."

**Renumber:** subsequent sections

15. Page 13, line 13.

**Strike:** "31(1)"

**Insert:** "32(1)"

16. Page 14, line 11.

**Strike:** "31(2)"

**Insert:** "32(2)"

17. Page 26, line 22.

**Strike:** "30 and 31"

**Insert:** "31 and 32"

18. Page 26, line 23.

**Strike:** "30 and 31"

**Insert:** "31 and 32"

19. Page 26, line 24.

**Strike:** "32"

**Insert:** "33"

20. Page 26, line 25.

**Strike:** "32"

**Insert:** "33"

And, as amended, do pass. Report adopted.

**HB 279**, do pass. Report adopted.

**JUDICIARY** (Bennett, Chair):

2/12/2015

**SB 60**, be amended as follows:

1. Page 1, line 14.

**Following:** "genitals"

**Insert:** "or intimate parts"

2. Page 1, line 25 through line 26.

**Strike:** "less" on line 25 through "than 5" on line 26

**Insert:** "more than 10"

HOUSE JOURNAL  
THIRTY-THIRD LEGISLATIVE DAY - FEBRUARY 13, 2015

3. Page 1, line 29.

**Strike:** "3"

**Insert:** "4"

4. Page 3, line 3.

**Following:** "OFFENDER IS"

**Strike:** "3"

**Insert:** "4"

And, as amended, be concurred in. Report adopted.

**SB 139**, be amended as follows:

1. Title, page 1, line 5.

**Strike:** "AND"

2. Title, page 1, line 6.

**Following:** "3-15-402, MCA"

**Insert:** "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 1, line 18.

**Following:** line 18

**Insert:** "NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval."

And, as amended, be concurred in. Report adopted.

**JUDICIARY** (Bennett, Chair):

2/13/2015

**HB 297**, introduced bill, be amended as follows:

1. Title, lines 4 and 5.

**Strike:** "OR " on line 4 through "COMMUNICATIONS" on line 5

**Insert:** "OF A WIRELESS COMMUNICATION"

**Following:** "DEVICE"

**Insert:** "TO WRITE, SEND, OR READ A WRITTEN COMMUNICATION"

2. Page 3, line 8.

**Strike:** "Hand-held electronic communications"

**Insert:** "Wireless communication"

**Following:** "use"

**Insert:** "for written communication"

3. Page 3, lines 9 and 10.

**Following:** "not use" on line 9

**Strike:** "or have" on line 9 through "communications" on line 10

HOUSE JOURNAL  
THIRTY-THIRD LEGISLATIVE DAY - FEBRUARY 13, 2015

**Insert:** "a wireless communication"

**Following:** "device" on line 10

**Insert:** "to write, send, or read a written communication"

4. Page 3, line 11.

**Following:** "highway,"

**Insert:** "as defined in 61-1-101,"

5. Page 3, lines 13 and 14.

**Strike:** "or have" on line 13 through "communications" on line 14

**Insert:** "a wireless communication"

**Following:** "device" on line 14

**Insert:** "to write, send, or read a written communication"

6. Page 3, line 25.

**Strike:** "seizure"

**Insert:** "search"

7. Page 3, line 26.

**Strike:** "hand-held electronic communications"

**Insert:** "wireless communication"

8. Page 3, line 28.

**Strike:** "hand-held electronic communications"

**Insert:** "wireless communication"

**Following:** "device"

**Insert:** "in the manner described in subsection (1)(a)"

9. Page 3, line 30.

**Strike:** subsection (5)(b) in its entirety

**Renumber:** subsequent subsections

10. Page 4, line 1.

**Following:** "enforcement"

**Insert:** "or public safety"

11. Page 4, line 4.

**Following:** "provider;"

**Insert:** "or"

12. Page 4, line 5 through line 7.

**Strike:** subsection (d) in its entirety

**Renumber:** subsequent subsection

HOUSE JOURNAL  
THIRTY-THIRD LEGISLATIVE DAY - FEBRUARY 13, 2015

13. Page 4, lines 8 and 9.

**Strike:** "hand-held" on line 8 through "communications" on line 9

**Insert:** "wireless communication"

**Following:** "device" on line 9

**Insert:** "in the manner described in subsection (1)(a)"

14. Page 4.

**Following:** line 13

**Insert:** "(7) This section does not limit the authority of a local governing body to enact an ordinance that is more restrictive than the provisions of this section."

**Renumber:** subsequent subsection

15. Page 4, line 15 through line 24.

**Strike:** subsection (7)(a) through subsection (7)(c) in their entirety

**Insert:** "(a) "Wireless communication device" means a wireless telephone, a text-messaging device, a personal digital assistant, a laptop computer, or any other substantially similar communication device that is readily removable from the vehicle and is used to write, send, or read text or data through manual input. The term does not include:

(i) a device used for global positioning or navigation services;

(ii) a system or device that is physically or electronically integrated into the vehicle; or

(iii) citizens' band radios, citizens' band radio hybrids, commercial two-way radio communication devices, or electronic communication devices with a push-to-talk function.

(b) "Write, send, or read a written communication" means to use a wireless communication device to manually type, send, or read a written communication, including but not limited to a text message, an instant message, and electronic mail."

And, as amended, do pass. Report adopted.

**HB 344**, introduced bill, be amended as follows:

1. Title, line 6.

**Strike:** "AND"

2. Title, line 7.

**Following:** "SCANNER"

**Insert:** "; AND EXTENDING RULEMAKING AUTHORITY"

3. Page 1, line 14.

**Following:** "(2)(a)"

**Strike:** "An"

**Insert:** "The department of transportation or an"

**Strike:** "licence"

**Insert:** "license"



HOUSE JOURNAL  
THIRTY-THIRD LEGISLATIVE DAY - FEBRUARY 13, 2015

4. Page 1, line 15.

**Following:** "for"

**Strike:** "city"

**Following:** "the"

**Insert:** "department of transportation or"

**Strike:** "must"

**Insert:** "shall"

5. Page 1, line 17.

**Following:** "(2)(a)(i)"

**Insert:** "without a search warrant or outside of judicially recognized exceptions to search warrant requirements"

6. Page 1, line 18.

**Strike:** "; or"

**Insert:** "."

7. Page 1, line 19.

**Following:** "system"

**Strike:** ". " through "scanner"

**Insert:** ", but"

8. Page 1, line 22 through line 23.

**Following:** "implement" on line 22

**Strike:** "and" through "69-12-101," on line 23

**Insert:** "61-10-101 through 61-10-104, 61-10-106 through 61-10-110, and 61-10-154"

9. Page 2, line 3.

**Strike:** "e-z pass"

**Insert:** "automated electronic toll collection system"

10. Page 1.

**Following:** line 28

**Insert:** "(c) Nothing in this section prohibits an agency of the state or any subdivision of the state from using its own vehicles, aircraft, or equipment, including a license plate scanner, to track, monitor, or otherwise maintain information about the agency's or subdivision's vehicles, aircraft, or equipment."

11. Page 2, line 16.

**Strike:** "30 days"

**Insert:** "18 months"

And, as amended, do pass. Report adopted.

HOUSE JOURNAL  
THIRTY-THIRD LEGISLATIVE DAY - FEBRUARY 13, 2015

**HB 345**, introduced bill, be amended as follows:

1. Page 1, line 19.

**Strike:** "3"

**Insert:** "6"

And, as amended, do pass. Report adopted.

**LOCAL GOVERNMENT** (Greef, Chair):

2/12/2015

**HB 367**, do pass. Report adopted.

**STATE ADMINISTRATION** (Essmann, Chair):

2/13/2015

**HB 392**, do pass. Report adopted.

**HB 400**, introduced bill, be amended as follows:

1. Page 2, line 8.

**Strike:** "two"

**Insert:** "three"

And, as amended, do pass. Report adopted.

**SB 63**, be concurred in. Report adopted.

**SB 64**, be concurred in. Report adopted.

**SB 72**, be concurred in. Report adopted.

**TAXATION** (Miller, Chair):

2/13/2015

**HB 156**, introduced bill, be amended as follows:

1. Title, page 1, line 5.

**Following:** "CARBON"

**Insert:** "CAPTURE, TRANSPORTATION, AND"

**Following:** "TAXES;"

**Insert:** "PROVIDING FOR THE CERTIFICATION OF EXEMPT CARBON SEQUESTRATION EQUIPMENT; PROVIDING RULEMAKING AUTHORITY;"

2. Page 1, line 7.

**Following:** line 7

**Insert:** "WHEREAS, Montana industries are required to install certain air and water pollution control equipment to comply with state and federal standards as a result of recent regulatory action, including but not limited to:

- (1) the Clean Air Mercury Rule;
- (2) the Revised Ozone National Ambient Air Quality Standards Regional Haze Rule;
- (3) the Clean Air Interstate Rule;
- (4) the Nitrogen Oxide Primary National Ambient Air Quality Standards;
- (5) the Sulfur Dioxide Primary National Ambient Air Quality Standards;

HOUSE JOURNAL  
THIRTY-THIRD LEGISLATIVE DAY - FEBRUARY 13, 2015

- (6) Coal Combustion Byproducts Management;
  - (7) the Cooling Water Intakes 316(b) Rule;
  - (8) the Hazardous Air Pollutants Maximum Achievable Control Technology Rule;
  - (9) the Particulate Matter 2.5 National Ambient Air Quality Standards;
  - (10) the Effluent Guidelines for Coal-Fired Electrical Generating Units;
  - (11) the Sulfur Dioxide/Nitrogen Oxide Secondary National Ambient Air Quality Standards;
  - (12) the Particulate Matter 2.5 National Ambient Air Quality Standards Designations;
  - (13) the Resource Conservation and Recovery Act standards for management of coal combustion residuals;
  - (14) the Maximum Achievable Control Technology Standards for industrial boilers;
  - (15) the New Source Performance Standards and Emission Guidelines for Large Municipal Waste Combustors;
  - (16) the Standards of Performance for Grain Elevators
- National Emission Standards for Hazardous Air Pollutants: Primary Aluminum Reduction Plants;
- (17) the Ozone National Ambient Air Quality Standards Revision Final Coal Combustion Byproducts Rule;
  - (18) the Clean Air Interstate Replacement Rule;
  - (19) the Stationary Compression Ignition Engine New Source Performance Standards;
  - (20) the Clean Power Rule;
  - (21) the Cooling Water Intakes 316(b) Compliance;
  - (22) the Numeric Nutrient Criteria;
  - (23) the Hazardous Air Pollutants Maximum Achievable Control Technology Compliance;
  - (24) Clean Air Interstate Rule Phase II for Sulfur Dioxide and Nitrogen Oxide;
  - (25) the National Emission Standards for Hazardous Air Pollutants for the Portland Cement Manufacturing Industry
- Renewable Fuels Standards;
- (26) the Tier 3 Vehicle Emission and Fuel Standards;
  - (27) the Ozone National Ambient Air Quality Standards to 65 Parts Per Billion;
  - (28) the planned Environmental Protection Agency regulation of methane emissions for oil and natural gas industry;
  - (29) Total Maximum Daily Loads; and
  - (30) National Pollutant Discharge Elimination System, including stormwater discharge.

WHEREAS, compliance with these regulations requires investments of hundreds of millions of dollars and ultimately impacts consumers; and

WHEREAS, technologies to comply with these regulations are often unproven or not commercially or economically available; and

WHEREAS, many of these regulations address important protections for public health, yet others, such as the Regional Haze Rule, address issues such as visibility; and

WHEREAS, many of these regulations require installation of pollution control technologies that decrease the efficiency of existing equipment at industrial facilities; and

WHEREAS, reduced tax rates for pollution control equipment will improve public health by providing an incentive for early compliance when possible and ultimately making regulatory compliance more affordable; and

WHEREAS, the Legislature of the State of Montana finds that it is appropriate to exempt certain air and water pollution control equipment and carbon sequestration equipment from property taxes."

HOUSE JOURNAL  
THIRTY-THIRD LEGISLATIVE DAY - FEBRUARY 13, 2015

3. Page 3, line 12.

**Strike:** "December 31"

**Insert:** "January 1"

4. Page 4, line 4.

**Following:** "for carbon"

**Insert:** "capture, transportation, and"

5. Page 4, line 26.

**Strike:** "December 31"

**Insert:** "January 1"

6. Page 4, line 27.

**Following:** "taxation"

**Insert:** "if certified as provided in subsection (5).

(5) (a) Requests for certification must be made on forms available from the department of revenue. Certification may not be granted unless the applicant is in substantial compliance with all applicable rules, laws, orders, or permit conditions. Certification remains in effect only as long as substantial compliance continues.

(b) The department of environmental quality shall promulgate rules specifying procedures, including timeframes for certification application, and definitions necessary to identify carbon sequestration equipment for certification and compliance. The department of revenue shall promulgate rules pertaining to the valuation of carbon sequestration equipment. The department of environmental quality shall identify and track compliance in the use of carbon sequestration equipment and report continuous acts or patterns of noncompliance at a facility to the department of revenue. Casual or isolated incidents of noncompliance at a facility do not affect certification.

(c) A person may appeal the certification, classification, and valuation of the property to the state tax appeal board. Appeals on the property certification must name the department of environmental quality as the respondent, and appeals on the classification or valuation of the equipment must name the department of revenue as the respondent"

7. Page 5, line 25.

**Strike:** "December 31"

**Insert:** "January 1"

8. Page 5, line 27.

**Strike:** "December 31"

**Insert:** "January 1"

9. Page 6, line 25.

**Following:** "service"

**Insert:** "on or"

**Strike:** "2015"

**Insert:** "2014"

HOUSE JOURNAL  
THIRTY-THIRD LEGISLATIVE DAY - FEBRUARY 13, 2015

10. Page 7, line 25.

**Strike:** "December 31"

**Insert:** "January 1"

And, as amended, do pass. Report adopted.

**HB 228**, do pass. Report adopted.

**HB 310**, do pass. Report adopted.

**HB 359**, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**House bill** concurred in and returned to the House: 2/11/2015

**HB 64**, introduced by Webber

**Senate bills** passed and transmitted to the House for concurrence: 2/11/2015

**SB 22**, introduced by Cohenour

**SB 229**, introduced by Tutvedt

**Senate joint resolutions** passed and transmitted to the House for concurrence: 2/11/2015

**SJR 9**, introduced by Brenden

**SJR 10**, introduced by L. Jones

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 488**, introduced by K. Regier, referred to Judiciary.

**HB 489**, introduced by R. Pinocci, B. Bennett, S. Berglee, B. Brown, C. Fiscus, R. Lynch, T. Manzella, M. Monforton, D. Mortensen, A. Olszewski, A. Person, N. Schwaderer, B. Tschida, K. White, T. Woods, D. Zolnikov, referred to Federal Relations, Energy, and Telecommunications.

**HB 490**, introduced by J. Eck, referred to Judiciary.

**HB 491**, introduced by S. Lavin, E. Arntzen, M. Blasdel, E. Buttrey, R. Lynch, G. Pierson, L. Randall, C. Schreiner, J. Sesso, referred to Judiciary.

**HB 492**, introduced by C. Schreiner, referred to Judiciary.

**HB 493**, introduced by R. Lynch, D. Ankney, Debby Barrett, B. Bennett, G. Bennett, S. Berglee, T. Berry, J. Brenden, T. Brown, Z. Brown, E. Buttrey, M. Caferro, C. Clark, J. Cohenour, P. Connell, V. Court, W. Curdy, K. Dudik, M. Dunwell, J. Eck, J. Ellis, J. Essmann, T. Facey, C. Fiscus, M. Funk, E. Greef, B. Harris, D. Hayman, G. Hertz, E. Hill, R. Hollandsworth, B. Hoven, D. Howard, T. Jacobson, L. Jones, J. Karjala, J. Keane, G. Kipp, A. Knudsen, M. Lang, C. Larsen, S. Lavin, E. Lieser, S. Malek, K. McCarthy, E. McClafferty, N. McConnell, R. Mehlhoff, M. Miller, D. Moore, F. Moore, D. Mortensen, P. Noonan, A. Olsen, A. Olszewski, Z. Perry, A. Person, G. Pierson, R.

HOUSE JOURNAL  
THIRTY-THIRD LEGISLATIVE DAY - FEBRUARY 13, 2015

Pinocci, C. Pope, J. Price, L. Randall, T. Richmond, R. Ripley, D. Salomon, C. Schreiner, J. Sesso, R. Shaw, T. Steenberg, N. Swandal, K. Swanson, F. Thomas, B. Tutvedt, C. Vincent, G. Vuckovich, K. Wagoner, R. Webb, J. Welborn, K. White, L. Whitford, N. Wilson, J. Windy Boy, C. Wolken, T. Woods, referred to Appropriations.

**HB 494**, introduced by K. Dudik, referred to Human Services.

**HB 495**, introduced by G. Meyers, referred to Fish, Wildlife and Parks.

**HB 496**, introduced by K. White, N. Ballance, G. Bennett, S. Berglee, A. Doane, C. Fiscus, E. Greef, B. Harris, S. Hess, D. Lamm, M. Lang, S. Laszloffy, R. Lynch, F. Mandeville, T. Manzella, W. McKamey, G. Meyers, M. Monforton, D. Mortensen, M. Noland, P. Noonan, R. Pinocci, A. Redfield, T. Richmond, S. Staffanson, K. Wagoner, referred to Natural Resources.

**HB 497**, introduced by B. Bennett, referred to Judiciary.

**HB 498**, introduced by K. Williams, referred to Human Services.

**HB 499**, introduced by S. Fitzpatrick, N. Swandal, referred to Judiciary.

**HB 500**, introduced by A. Olsen, referred to Human Services.

**HB 501**, introduced by D. Lamm, referred to Education.

**HB 502**, introduced by S. Fitzpatrick, D. Zolnikov, referred to State Administration.

**HB 503**, introduced by T. Berry, referred to Business and Labor.

The following Senate bills were introduced, read first time, and referred to committees:

**SB 22**, introduced by J. Cohenour (by request of the Board of Social Work Examiners and Professional Counselors), referred to Business and Labor.

**SB 229**, introduced by B. Tutvedt, B. Hamlett, referred to Natural Resources.

The following Senate joint resolutions were introduced, read first time, and referred to committees:

**SJR 9**, introduced by J. Brenden, Debby Barrett, M. Cuffe, J. Fielder, K. Hansen, J. Hinkle, B. Hoven, R. Ripley, M. Rosendale, C. Smith, N. Swandal, G. Vance, C. Vincent, referred to Human Services.

**SJR 10**, introduced by L. Jones, referred to Human Services.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion Carried. Representative Wagoner in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 233** - Representative Tropila moved **HB 233** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann,

HOUSE JOURNAL  
THIRTY-THIRD LEGISLATIVE DAY - FEBRUARY 13, 2015

Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 272** - Representative Hill moved **HB 272** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Regier, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 80

Nays: J. Bennett, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Flynn, Hagstrom, Lamm, Laszloffy, Mandeville, Mortensen, Olsen, Pinocci, Redfield, Ricci, Schwaderer, Staffanson, White.  
Total 20

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
THIRTY-THIRD LEGISLATIVE DAY - FEBRUARY 13, 2015

**HB 314** - Representative Pease-Lopez moved **HB 314** do pass. Motion **failed** as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 50

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Custer, Doane, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 50

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 315** - Representative Harris moved **HB 315** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McConnell, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0



HOUSE JOURNAL  
THIRTY-THIRD LEGISLATIVE DAY - FEBRUARY 13, 2015

**HB 322** - Representative D. Jones moved **HB 322** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 55

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 45

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 355** - Representative Doane moved **HB 355** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Smith.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
THIRTY-THIRD LEGISLATIVE DAY - FEBRUARY 13, 2015

Majority Leader Regier moved the committee rise and report. Motion Carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Wagoner moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Custer, Doane, Dunwell, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Mandeville, Manzella, McClafferty, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Perry, Person, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 78

Nays: B. Bennett, Curdy, Dudik, Eck, Ellis, Funk, Hunter, Lynch, MacDonald, McCarthy, McConnell, Mehlhoff, Olsen, Pease-Lopez, Peppers, Pierson, Schreiner, Williams, Wilson, Woods.  
Total 20

Excused: Clark.  
Total 1

Absent or not voting: Smith.  
Total 1

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 167** passed as follows:

Yeas: Ballance, B. Bennett, Berry, Z. Brown, Burnett, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Funk, Garner, Glimm, Greef, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods.  
Total 71

Nays: J. Bennett, Berglee, Brodehl, B. Brown, Cuffe, Fitzpatrick, Flynn, Hagstrom, Harris, Hertz, Hess, Lamm, Laszloffy, Mandeville, Manzella, McKamey, Meyers, Monforton, Olszewski, Randall, Redfield, Regier, Ricci, Staffanson, Wagoner, Wittich, Zolnikov, Mr. Speaker.  
Total 28

HOUSE JOURNAL  
THIRTY-THIRD LEGISLATIVE DAY - FEBRUARY 13, 2015

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

**HB 262** passed as follows:

Yeas: B. Bennett, Berry, Z. Brown, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hill, Hunter, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McClafferty, McConnell, Mehlhoff, Moore, Noland, Noonan, Olsen, Pease-Lopez, Perry, Pierson, Pinocci, Pope, Price, Redfield, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Steenberg, Swanson, Webber, Welborn, White, Williams, Wilson, Woods.

Total 54

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Doane, Ehli, Fitzpatrick, Flynn, Glimm, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McCarthy, McKamey, Meyers, Miller, Monforton, Mortensen, Olszewski, Osmundson, Peppers, Person, Randall, Regier, Ricci, Smith, Staffanson, Tropila, Tschida, Wagoner, Wittich, Zolnikov, Mr. Speaker.

Total 45

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

**HB 270** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Cuffe, Curdy, Custer, Doane, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: Court, Dudik, Hayman, MacDonald, Olsen, Smith.

Total 6

HOUSE JOURNAL  
THIRTY-THIRD LEGISLATIVE DAY - FEBRUARY 13, 2015

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

**HB 342** passed as follows:

Yeas: B. Bennett, Berglee, Z. Brown, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Salomon, Schreiner, Schwaderer, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 50

Nays: Ballance, J. Bennett, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Randall, Redfield, Regier, Ricci, Richmond, Shaw, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 49

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

**HJR 8** adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 90

Nays: Burnett, Cook, Doane, Hess, Lamm, McKamey, Redfield, Smith, Wagoner.

Total 9

HOUSE JOURNAL  
THIRTY-THIRD LEGISLATIVE DAY - FEBRUARY 13, 2015

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

**SB 50** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Smith.

Total 1

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

**SB 51** concurred in as follows:

Yeas: B. Bennett, Berry, Z. Brown, Burnett, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Funk, Garner, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Mr. Speaker.

Total 67

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Cuffe, Doane, Fitzpatrick, Flynn, Glimm, Greef, Harris, Hess, Jones, Lamm, Laszloffy, Manzella, Meyers, Monforton, Mortensen, Noland, Olszewski, Osmundson, Regier, Ricci, Schwaderer, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov.

Total 32

HOUSE JOURNAL  
THIRTY-THIRD LEGISLATIVE DAY - FEBRUARY 13, 2015

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

**SB 65** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

**SB 117** concurred in as follows:

Yeas: B. Bennett, Berry, Z. Brown, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Funk, Garner, Greef, Hagstrom, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Moore, Noonan, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 70

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Fitzpatrick, Flynn, Glimm, Harris, Hertz, Hess, Lamm, Laszloffy, Lavin, Manzella, Meyers, Monforton, Mortensen, Noland, Olsen, Osmundson, Regier, Schwaderer, Tschida, Wagoner, Welborn, White, Zolnikov.

Total 29

HOUSE JOURNAL  
THIRTY-THIRD LEGISLATIVE DAY - FEBRUARY 13, 2015

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

**SB 164** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Custer, Doane, Dunwell, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Lavin, Lieser, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: Dudik, Eck, Laszloffy, MacDonald, McConnell, Olsen, Pease-Lopez.

Total 7

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

**MOTIONS**

Majority Leader Regier moved **HB 322** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Regier moved **HB 462** be moved from the State Administration committee to the Business and Labor committee.

Representative Eck moved to change her vote on **HB 315** from Yes to No. Without objection, so ordered.

Representative Fiscus moved to reconsider action on **HB 346** and that **HB 346** be placed on second reading on Saturday, February 14, 2015.

Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Cuffe, Doane, Ehli, Fiscus, Flynn,

HOUSE JOURNAL  
THIRTY-THIRD LEGISLATIVE DAY - FEBRUARY 13, 2015

Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Jones, Kipp III, Lamm, Lang, Laszloffy, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 48

Nays: B. Bennett, Berry, Z. Brown, Burnett, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Garner, Hagstrom, Hayman, Hill, Holmlund, Hunter, Jacobson, Karjala, Kelker, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 51

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 8:00 a.m., Saturday, February 14, 2015. Motion carried.

House adjourned at 3:03 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House



**HOUSE JOURNAL  
64TH LEGISLATURE  
THIRTY-FOURTH LEGISLATIVE DAY**

Helena, Montana  
February 14, 2015

House Chambers  
State Capitol

House convened at 8:00 a.m. Mr. Speaker presiding. Invocation by Representative Regier. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Clark, excused. Quorum present.

**BILLS** (Welborn, Chair):

2/14/2015

Correctly printed: **HB 375, HB 414, SB 49, SB 82, SB 88, SB 184.**

Correctly engrossed: **SB 93.**

Correctly enrolled: **HB 105, HB 147.**

Transmitted to the Senate: **HB 167, HB 262, HB 270, HB 342, HJR 8, SB 50, SB 51, SB 65, SB 117, SB 164.**

Signed by the President at 10:15 a.m., February 14, 2015: **HB 64, HB 67, HB 84, HB 122.**

**COMMUNICATIONS AND PETITIONS**

Mr. Speaker: We, your committee on Legislative Administration, having examined the daily journals for the twenty-first, twenty-second, twenty-third, twenty-fourth, and twenty-fifth legislative days, find the same to be correct.

Representative Welborn, Chair

**REPORTS OF STANDING COMMITTEES**

**JUDICIARY** (Bennett, Chair):

2/13/2015

**SB 93**, be amended as follows:

1. Title, page 1, line 6.

**Strike:** "APPLY"

**Insert:** "PETITION A DISTRICT COURT"

2. Page 1, line 14.

**Following:** "register may"

**Strike:** "apply to the department"

**Insert:** "petition the district court of the county in which the person resides"

HOUSE JOURNAL  
THIRTY-FOURTH LEGISLATIVE DAY - FEBRUARY 14, 2015

3. Page 2, line 4.

**Following:** "section"

**Insert:** "as determined by a district court pursuant to subsection (1)"

And, as amended, be concurred in. Report adopted.

**NATURAL RESOURCES** (White, Chair):

2/13/2015

**SB 49**, be concurred in. Report adopted.

**SB 82**, be concurred in. Report adopted.

**SB 88**, be concurred in. Report adopted.

**TRANSPORTATION** (Lavin, Chair):

2/13/2015

**HB 375**, do pass. Report adopted.

**HB 414**, do pass. Report adopted.

**SB 184**, be concurred in. Report adopted.

**MESSAGES FROM THE SENATE**

**House bills** concurred in and returned to the House:

2/12/2015

**HB 91**, introduced by Clark

**HB 94**, introduced by Flynn

**HB 112**, introduced by Regier

**HB 157**, introduced by Perry

**HB 184**, introduced by Hertz

**Senate bills** passed and transmitted to the House for concurrence:

2/12/2015

**SB 174**, introduced by Moe

**SB 181**, introduced by Arntzen

**SB 192**, introduced by Driscoll

**SB 230**, introduced by Vincent

**MESSAGES FROM THE GOVERNOR**

February 13, 2015

The Honorable Austin Knudsen

Speaker of the House

State Capitol

Helena, Montana 59620

Dear Speaker Knudsen:

Please be informed that I have signed **House Bill 31** sponsored by Representative Kelker, **House**

HOUSE JOURNAL  
THIRTY-FOURTH LEGISLATIVE DAY - FEBRUARY 14, 2015

**Bill 82** sponsored by Representative Hertz, **House Bill 121** sponsored by Representative Karjala, and **House Bill 125** sponsored by Representative Swanson on February 13, 2015.

Sincerely,

STEVE BULLOCK  
Governor

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 504**, introduced by D. Hayman, Z. Brown, V. Court, W. Curdy, T. Steenberg, K. Swanson, T. Woods, K. Williams, referred to Local Government.

**HB 505**, introduced by M. Monforton, referred to Judiciary.

**HB 506**, introduced by D. Moore, referred to Business and Labor.

**HB 507**, introduced by G. Pierson, J. Eck, R. Mehlhoff, C. Pease-Lopez, Z. Perry, J. Price, R. Shaw, K. Swanson, J. Welborn, E. Buttrey, referred to Human Services.

**HB 508**, introduced by R. Osmundson, R. Brodehl, S. Fitzpatrick, R. Hollandsworth, S. Lavin, K. Regier, T. Richmond, M. Rosendale, referred to Business and Labor.

**HB 509**, introduced by C. Schreiner, J. Eck, M. Funk, B. Hamlett, G. Kipp, R. Lynch, K. McCarthy, N. McConnell, P. Noonan, A. Olsen, B. Smith, K. Swanson, S. Webber, referred to Human Services.

**HB 510**, introduced by A. Redfield, referred to Natural Resources.

**HB 511**, introduced by B. Tschida, G. Hertz, A. Knudsen, D. Lamm, S. Laszloffy, K. Regier, referred to Taxation.

**HB 512**, introduced by D. Mortensen, D. Ankney, E. Arntzen, S. Berglee, T. Brown, V. Court, G. Custer, C. Fiscus, F. Garner, D. Hagstrom, B. Harris, K. Holmlund, D. Jones, J. Karjala, D. Kary, K. Kelker, A. Knudsen, M. Lang, S. Laszloffy, R. Lynch, F. Mandeville, K. McCarthy, M. McNally, C. Pease-Lopez, A. Redfield, V. Ricci, T. Richmond, R. Shaw, C. Smith, S. Staffanson, N. Swandal, R. Webb, referred to Appropriations.

**HB 513**, introduced by A. Person, referred to Human Services.

**HB 514**, introduced by A. Person, referred to State Administration.

**HB 515**, introduced by W. Curdy, referred to Business and Labor.

**HB 516**, introduced by M. MacDonald, referred to Judiciary.

**HB 517**, introduced by J. Essmann, M. Funk, referred to Human Services.

**HB 518**, introduced by R. Ehli, referred to Judiciary.

**HB 519**, introduced by C. Glimm, referred to Natural Resources.

The following House bills were introduced, read first time, and referred to committees:

**HB 520**, introduced by D. Lamm, N. Ballance, F. Garner, C. Glimm, S. Lavin, W. McKamey, M. Noland, R. Pinocci, B. Tschida, referred to Education.

**HB 521**, introduced by D. Lamm, N. Ballance, C. Glimm, W. McKamey, M. Noland, R. Pinocci, B. Tschida, referred to Education.

HOUSE JOURNAL  
THIRTY-FOURTH LEGISLATIVE DAY - FEBRUARY 14, 2015

The following House joint resolutions were introduced, read first time, and referred to committees:

**HJR 18**, introduced by C. Pease-Lopez, referred to Education.

**HJR 19**, introduced by E. Lieser, B. Bennett, W. Curdy, M. Dunwell, J. Ellis, M. Funk, D. Hayman, T. Jacobson, K. Kelker, R. Lynch, E. McClafferty, N. McConnell, A. Olsen, Z. Perry, A. Person, J. Pomnichowski, C. Pope, J. Price, C. Schreiner, T. Steenberg, K. Swanson, M. Tropila, S. Webber, K. Williams, N. Wilson, T. Woods, M. MacDonald, referred to Natural Resources.

The following Senate bills were introduced, read first time, and referred to committees:

**SB 174**, introduced by M. Moe, E. Buttrey, referred to Business and Labor.

**SB 181**, introduced by E. Arntzen, referred to Business and Labor.

**SB 192**, introduced by R. Driscoll, referred to Business and Labor.

**SB 230**, introduced by C. Vincent, referred to Fish, Wildlife and Parks.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Glimm in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 134 - Senate Amendments** - Representative Eck moved Senate amendments to **HB 134** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

HOUSE JOURNAL  
THIRTY-FOURTH LEGISLATIVE DAY - FEBRUARY 14, 2015

Absent or not voting: None.

Total 0

**HB 289** - Representative Greef moved **HB 289** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Cook, Doane, Ellis, Randall, White, Wilson.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 373** - Representative Staffanson moved **HB 373** do pass. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 94

Nays: Ballance, B. Brown, Burnett, Fitzpatrick, Wittich, Zolnikov.

Total 6

Excused: None.

Total 0

HOUSE JOURNAL  
THIRTY-FOURTH LEGISLATIVE DAY - FEBRUARY 14, 2015

Absent or not voting: None.

Total 0

**HJR 10** - Representative Hill moved **HJR 10** be adopted. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Garner, Greef, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Monforton, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Regier, Richmond, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods.

Total 59

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Ehli, Fiscus, Fitzpatrick, Flynn, Glimm, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lang, Laszloffy, Lavin, Meyers, Miller, Moore, Mortensen, Noland, Osmundson, Pinocci, Randall, Redfield, Ricci, Salomon, Schwaderer, Staffanson, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 6** - Representative Miller moved **SB 6** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

HOUSE JOURNAL  
THIRTY-FOURTH LEGISLATIVE DAY - FEBRUARY 14, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 28** - Representative McConnell moved **SB 28** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 71

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Essmann, Fitzpatrick, Flynn, Hertz, Hess, Lamm, Laszloffy, Manzella, Meyers, Monforton, Mortensen, Pinocci, Randall, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 29

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 32** - Representative Noonan moved **SB 32** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 88

Nays: J. Bennett, Brodehl, B. Brown, Doane, Fitzpatrick, Hertz, Hess, Mortensen, Pinocci, Wagoner, Wittich, Zolnikov.

Total 12

HOUSE JOURNAL  
THIRTY-FOURTH LEGISLATIVE DAY - FEBRUARY 14, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 67** - Representative Kelker moved **SB 67** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Regier, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Woods, Mr. Speaker.

Total 86

Nays: Brodehl, B. Brown, Burnett, Hagstrom, Lamm, Meyers, Randall, Redfield, Ricci, Schwaderer, Staffanson, Welborn, Wittich, Zolnikov.

Total 14

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 85** - Representative Fitzpatrick moved **SB 85** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: J. Bennett, Wagoner, Wittich.

Total 3



HOUSE JOURNAL  
THIRTY-FOURTH LEGISLATIVE DAY - FEBRUARY 14, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 95** - Representative Miller moved **SB 95** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 89

Nays: J. Bennett, Brodehl, B. Brown, Cook, Ehli, Hess, Lamm, Manzella, Redfield, Wagoner, Wittich.

Total 11

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 108** - Representative McKamey moved **SB 108** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

HOUSE JOURNAL  
THIRTY-FOURTH LEGISLATIVE DAY - FEBRUARY 14, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 113** - Representative Swanson moved **SB 113** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fiscus, Fitzpatrick, Funk, Garner, Hagstrom, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kipp III, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 58

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Court, Doane, Ehli, Essmann, Flynn, Glimm, Greef, Harris, Hertz, Hess, Jones, Lamm, Lang, Laszloffy, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 41

Excused: None.

Total 0

Absent or not voting: Kelker.

Total 1

**SB 163** - Representative Fitzpatrick moved **SB 163** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Funk, Garner, Greef, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Monforton, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 73

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Essmann, Flynn, Glimm, Hagstrom, Hess, Jones, Lamm, Laszloffy, Manzella, McKamey, Miller, Mortensen, Randall, Redfield, Regier, Schwaderer, Wagoner, White, Wittich, Zolnikov.

Total 27

HOUSE JOURNAL  
THIRTY-FOURTH LEGISLATIVE DAY - FEBRUARY 14, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Glimm moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Glimm, Schwaderer.

Total 2

Excused: Clark.

Total 1

Absent or not voting: Hess.

Total 1

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 123** passed as follows:

Yeas: Ballance, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon,

HOUSE JOURNAL  
THIRTY-FOURTH LEGISLATIVE DAY - FEBRUARY 14, 2015

Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.  
Total 90

Nays: B. Bennett, J. Bennett, Cook, Cuffe, Fitzpatrick, Hess, Karjala, Tropila, Zolnikov.  
Total 9

Excused: Clark.  
Total 1

Absent or not voting: None.  
Total 0

**HB 233** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 99

Nays: None.  
Total 0

Excused: Clark.  
Total 1

Absent or not voting: None.  
Total 0

**HB 272** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Funk, Garner, Greef, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez,

HOUSE JOURNAL  
THIRTY-FOURTH LEGISLATIVE DAY - FEBRUARY 14, 2015

Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 72

Nays: J. Bennett, Brodehl, B. Brown, Burnett, Cuffe, Doane, Fiscus, Fitzpatrick, Flynn, Glimm, Hagstrom, Hertz, Lamm, Laszloffy, Mandeville, Mortensen, Olsen, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Welborn, White.

Total 27

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

**HB 315** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Dudik, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Peppers, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, Z. Brown, Court, Curdy, Custer, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 41

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

**HB 355** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty,

HOUSE JOURNAL  
THIRTY-FOURTH LEGISLATIVE DAY - FEBRUARY 14, 2015

McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 98

Nays: Smith.  
Total 1

Excused: Clark.  
Total 1

Absent or not voting: None.  
Total 0

**MOTIONS**

Representative Dudik moved to change their vote on **HB 315** from Yes to No. Without objection, so ordered.

Representative D. Moore moved to change their vote on **HB 272** from No to Yes. Without objection, so ordered.

Representative McCarthy moved to reconsider action on **HB 314** and that **HB 314** be placed on second reading on Monday, February 16th.

Motion **failed** as follows:

Yeas: B. Bennett, Z. Brown, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 47

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 52

Excused: Clark.  
Total 1

HOUSE JOURNAL  
THIRTY-FOURTH LEGISLATIVE DAY - FEBRUARY 14, 2015

Absent or not voting: None.

Total 0

**SPECIAL ORDERS OF THE DAY**

Representative Greef thanked the pages for their service.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Monday, February 16, 2015. Motion carried.

House adjourned at 9:00 a.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
THIRTY-FIFTH LEGISLATIVE DAY**

Helena, Montana  
February 16, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Shaw. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

**MOTIONS**

Majority Leader Regier moved that the House recess for the purpose of receiving an address from the Honorable Abraham Lincoln, the 16th President of the United States. Upon conclusion of the address, the House would reconvene. Motion carried.

Sergeant-At-Arms Lenz announced that the Honorable Abraham Lincoln awaited entrance into the Chamber.

Speaker Knudsen presented to the Legislators and the people of Montana the Great Emancipator, President Abraham Lincoln.

President Lincoln addressed the Montana House of Representatives.

Speaker Knudsen thanked President Lincoln and asked the Sergeant-At Arms to escort the former President from the Chamber.

**BILLS** (Welborn, Chair):

2/16/2015

Correctly printed: **HB 412, HB 423.**

Correctly engrossed: **HB 298, HB 330, HB 333, HB 371, HB 388, HJR 13.**

Correctly enrolled: **HB 26, HB 134.**

Transmitted to the Senate: **HB 123, HB 233, HB 272, HB 315, HB 355.**

Signed by the Speaker at 7:30 a.m., February 17, 2015: **HB 91, HB 94, HB 105, HB 112, HB 136, HB 147, HB 157, HB 184.**

Signed by the Chief Clerk of the House at 8:00 a.m., February 17, 2015: **HB 91, HB 94, HB 105, HB 112, HB 136, HB 147, HB 157, HB 184.**

Delivered to the Governor for approval at 8:25 a.m., February 16, 2015: **HB 64, HB 67, HB 84, HB 122.**

**LEGISLATIVE ADMINISTRATION** (Welborn, Chair):

2/16/2015

MR. SPEAKER:

We, your committee on Legislative Administration recommend that employment of the following pages of the House be ceased as of 12:00 p.m., Saturday, February 14, 2015:



HOUSE JOURNAL  
THIRTY-FIFTH LEGISLATIVE DAY - FEBRUARY 16, 2015

Lauren Schmitt, Spokane, WA  
Josh Hoffman, Helena  
Matt Hoffman, Helena  
Emily Walborn, Helena  
Rob McCarvel, Helena  
Maia Parisot, Helena

and recommend that the following pages of the House be employed as of 1:00 p.m., Monday, February 16, 2015:

Maggie Miltko, Missoula  
Barclay Fagg, Billings  
Harrison Fagg, Billings  
Dylan Myhre, Hamilton  
Jackson Boos, Billings  
Shalom Baer, Kalispell

Report Adopted.

**REPORTS OF STANDING COMMITTEES**

**EDUCATION** (Laszloffy, Chair): 2/13/2015  
**HB 423**, do pass. Report adopted.

**JUDICIARY** (Bennett, Chair): 2/16/2015  
**HB 298**, do pass. Report adopted.  
**HB 330**, introduced bill, be amended as follows:

1. Title, page 1, line 7 through line 8.

**Strike:** "TO MAINTAIN" on line 7 through "INFORMATION" on line 8

**Insert:** "TO MAKE INFORMATION ABOUT THE EQUIPMENT AVAILABLE ON ITS WEBSITE"

2. Page 1, line 14.

**Strike:** "Department to maintain website of certain property"

**Insert:** "Property"

3. Page 1, line 15 through line 23.

**Following:** "(1)"

**Strike:** "The Department" on line 15 through "[section 2(2)]" on line 23

**Insert:** "On an annual basis, the department shall post a link on its website to a comma-separated value file listing property obtained by law enforcement agencies after [the effective date of this act] from the military equipment surplus program operated by the federal government."

HOUSE JOURNAL  
THIRTY-FIFTH LEGISLATIVE DAY - FEBRUARY 16, 2015

4. Page 2, line 1.

**Strike:** subsection (a) in its entirety

**Renumber:** subsequent subsections

5. Page 2, line 3 through line 5.

**Following:** "that" on line 3

**Strike:** ":" on line 3 through "application" on line 5

**Insert:** "are combat configured or combat coded"

6. Page 2, line 10.

**Strike:** "or tanklike vehicles"

7. Page 2, line 21.

**Following:** "website;"

**Insert:** "and"

8. Page 2, line 22.

**Strike:** subsection (ii) in its entirety

**Renumber:** subsequent subsections

9. Page 2, line 24.

**Strike:** "before"

**Insert:** "after"

10. Page 3, line 2 through line 3.

**Strike:** subsection (a) in its entirety

**Renumber:** subsequent subsections

11. Page 3, line 5.

**Strike:** "after the initial report required by subsection (4)(a)"

**Insert:** "during the 12-month period beginning October 1 of the previous year and ending on September 30 of the current year"

12. Page 3, line 6.

**Strike:** "to maintain the website established"

And, as amended, do pass. Report adopted.

**HB 333**, introduced bill, be amended as follows:

1. Title, page 1, line 13.

**Strike:** "FOR CERTAIN PUBLIC BROADCASTING SERVICES"

HOUSE JOURNAL  
THIRTY-FIFTH LEGISLATIVE DAY - FEBRUARY 16, 2015

2. Page 1, line 20.

**Following:** line 19

**Insert:** "(1) "Camera" means a camera affixed to a structure in an outdoor place accessible by the public for purposes of conducting surveillance of private citizens."

**Renumber:** subsequent subsections

3. Page 2, line 5 through line 11.

**Strike:** subsection (3) in its entirety

**Renumber:** subsequent subsections

4. Page 3, line 28.

**Following:** "services"

**Insert:** "and certain entities"

5. Page 3, line 30.

**Strike:** "or"

6. Page 4, line 2.

**Following:** "public"

**Strike:** "."

**Insert:** ";

7. Page 4, line 3.

**Following:** line 2

**Insert:** "(3) the Montana department of transportation;  
(4) the Montana historical society;  
(5) the Montana state lottery;  
(6) the Montana department of commerce;  
(7) the Montana state fund; or  
(8) an airport as defined in 67-1-101."

8. Page 4, line 7.

**Strike:** "[section 5(1)]"

**Insert:** "[sections 4 and 5]"

And, as amended, do pass. Report adopted.

**HB 371**, do pass. Report adopted.

**HB 388**, do pass. Report adopted.

**HB 412**, do pass. Report adopted.

HOUSE JOURNAL  
THIRTY-FIFTH LEGISLATIVE DAY - FEBRUARY 16, 2015

**NATURAL RESOURCES** (White, Chair):

2/13/2015

**HJR 13**, introduced joint resolution, be amended as follows:

1. Page 2, line 3.

**Strike:** "15-year"

**Insert:** "35-year"

2. Page 2, line 6.

**Following:** "road"

**Insert:** ", including all gated roads"

And, as amended, be adopted. Report adopted.

**MESSAGES FROM THE SENATE**

**House bills** concurred in and returned to the House:

2/13/2015

**HB 105**, introduced by Woods

**HB 147**, introduced by Wittich

**Senate bills** passed and transmitted to the House for concurrence:

2/13/2015

**SB 138**, introduced by Hoven

**SB 160**, introduced by Ankney

**SB 221**, introduced by Debby Barrett

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 522**, introduced by T. Berry, referred to Business and Labor.

**HB 523**, introduced by S. Berglee, F. Mandeville, referred to Local Government.

**HB 524**, introduced by K. Kelker, referred to Human Services.

**HB 525**, introduced by M. Noland, G. Bennett, M. Blasdel, M. Cuffe, A. Doane, J. Essmann, S. Fitzpatrick, F. Garner, C. Glimm, G. Hertz, M. Lang, S. Lavin, F. Mandeville, D. Mortensen, M. Noland, K. Regier, T. Richmond, J. Taylor, B. Tschida, K. White, referred to Natural Resources.

**HB 526**, introduced by G. Kipp, referred to Business and Labor.

**HB 527**, introduced by G. Kipp, referred to Agriculture.

**HB 528**, introduced by G. Hertz, referred to Business and Labor.

**HB 529**, introduced by V. Court, referred to State Administration.

**HB 530**, introduced by E. Hill, referred to Judiciary.

**HB 531**, introduced by T. Jacobson, referred to Business and Labor.

**HB 532**, introduced by T. Jacobson, referred to Transportation.

**HB 533**, introduced by K. Wagoner, referred to Judiciary.

HOUSE JOURNAL  
THIRTY-FIFTH LEGISLATIVE DAY - FEBRUARY 16, 2015

**HB 534**, introduced by K. Wagoner, referred to Transportation.  
**HB 535**, introduced by K. Wagoner, referred to Judiciary.  
**HB 536**, introduced by T. Berry, referred to Business and Labor.  
**HB 537**, introduced by T. Berry, referred to Business and Labor.  
**HB 538**, introduced by M. Miller, referred to Business and Labor.  
**HB 539**, introduced by W. Curdy, referred to Judiciary.  
**HB 540**, introduced by D. Salomon, referred to Education.  
**HB 541**, introduced by B. Harris, D. Lamm, D. Mortensen, S. Staffanson, K. White, referred to Natural Resources.  
**HB 544**, introduced by A. Wittich, referred to Human Services.

The following Senate bills were introduced, read first time, and referred to committees:

**SB 138**, introduced by B. Hoven, referred to Business and Labor.  
**SB 160**, introduced by D. Ankney, referred to Natural Resources.  
**SB 221**, introduced by Debby Barrett, R. Shaw, referred to Natural Resources.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Schwaderer in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 279** - Representative Essmann moved **HB 279** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.

HOUSE JOURNAL  
THIRTY-FIFTH LEGISLATIVE DAY - FEBRUARY 16, 2015

Total 0

Absent or not voting: None.

Total 0

**HB 305** - Representative Dudik moved **HB 305** do pass.

**HB 305** - Representative Dudik moved **HB 305**, second reading copy, be amended as follows:

1. Page 3, line 1 through line 4.

**Strike:** section 5 in its entirety

**Renumber:** subsequent section

Amendment adopted as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 51

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 49

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 305** - Representative Dudik moved **HB 305**, as amended, do pass. Motion carried as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Woods.

HOUSE JOURNAL  
THIRTY-FIFTH LEGISLATIVE DAY - FEBRUARY 16, 2015

Total 70

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Doane, Glimm, Harris, Hess, Hollandsworth, Holmlund, Jones, Lamm, Laszloffy, Manzella, Monforton, Noland, Osmundson, Pinocci, Randall, Regier, Schwaderer, Staffanson, Tschida, White, Wittich, Zolnikov, Mr. Speaker.

Total 30

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 179** - Representative Manzella moved **HB 179** do pass. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 48

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 52

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 337** - Representative Karjala moved **HB 337** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson,

HOUSE JOURNAL  
THIRTY-FIFTH LEGISLATIVE DAY - FEBRUARY 16, 2015

Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 354** - Representative Brodehl moved **HB 354** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 400** - Representative Custer moved **HB 400** do pass. Motion carried as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Garner, Harris, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Monforton, Moore, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers,



HOUSE JOURNAL  
THIRTY-FIFTH LEGISLATIVE DAY - FEBRUARY 16, 2015

Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 58

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Fiscus, Flynn, Glimm, Greef, Hagstrom, Hertz, Hess, Holmlund, Jones, Lamm, Laszloffy, Lavin, Mandeville, Manzella, Meyers, Miller, Mortensen, Noland, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 42

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 358** - Representative Lynch moved **HB 358** do pass. Motion carried as follows:

Yeas: B. Bennett, Z. Brown, Clark, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, Greef, Hayman, Hill, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 56

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Court, Cuffe, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Hagstrom, Harris, Hertz, Hess, Lamm, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Noland, Pinocci, Randall, Redfield, Regier, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 42

Excused: None.  
Total 0

Absent or not voting: Berry, Hollandsworth.  
Total 2

**HB 359** - Representative Lieser moved **HB 359** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill,

HOUSE JOURNAL  
THIRTY-FIFTH LEGISLATIVE DAY - FEBRUARY 16, 2015

Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 95

Nays: Manzella, Mortensen, Tschida, Zolnikov.

Total 4

Excused: None.

Total 0

Absent or not voting: Berry.

Total 1

**HB 390** - Representative Lang moved **HB 390** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Miller.

Total 1

**HB 392** - Representative Garner moved **HB 392** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus,

HOUSE JOURNAL  
THIRTY-FIFTH LEGISLATIVE DAY - FEBRUARY 16, 2015

Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Clark.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 393** - Representative Richmond moved **HB 393** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Harris, Staffanson.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
THIRTY-FIFTH LEGISLATIVE DAY - FEBRUARY 16, 2015

**HB 396** - Representative D. Jones moved **HB 396** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Tropila.

Total 1

Excused: None.

Total 0

Absent or not voting: Richmond.

Total 1

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Schwaderer moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

HOUSE JOURNAL  
THIRTY-FIFTH LEGISLATIVE DAY - FEBRUARY 16, 2015

Absent or not voting: None.

Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 134** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 289** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 93

HOUSE JOURNAL  
THIRTY-FIFTH LEGISLATIVE DAY - FEBRUARY 16, 2015

Nays: Clark, Cook, Doane, Ellis, Mehlhoff, Randall, White.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 373** passed as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 91

Nays: Ballance, B. Brown, Burnett, Fitzpatrick, Hertz, Hess, Manzella, Wittich, Zolnikov.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HJR 10** adopted as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Funk, Garner, Greef, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Monforton, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Regier, Richmond, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods.

Total 58

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lang,

HOUSE JOURNAL  
THIRTY-FIFTH LEGISLATIVE DAY - FEBRUARY 16, 2015

Laszloffy, Lavin, Manzella, Meyers, Miller, Moore, Mortensen, Noland, Osmundson, Pinocci, Randall, Redfield, Ricci, Salomon, Schwaderer, Staffanson, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 42

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 6** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Laszloffy.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 28** concurred in as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Funk, Garner, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Mr. Speaker.

Total 66

HOUSE JOURNAL  
THIRTY-FIFTH LEGISLATIVE DAY - FEBRUARY 16, 2015

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Hertz, Hess, Lamm, Laszloffy, Manzella, McKamey, Meyers, Monforton, Mortensen, Randall, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov.

Total 33

Excused: None.

Total 0

Absent or not voting: Berglee.

Total 1

**SB 32** concurred in as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Monforton, Moore, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 84

Nays: J. Bennett, Brodehl, B. Brown, Cuffe, Doane, Fitzpatrick, Hertz, Hess, Lamm, McKamey, Meyers, Mortensen, Olszewski, Schwaderer, Wittich, Zolnikov.

Total 16

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 67** concurred in as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope,



HOUSE JOURNAL  
THIRTY-FIFTH LEGISLATIVE DAY - FEBRUARY 16, 2015

Price, Regier, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 82

Nays: J. Bennett, Brodehl, B. Brown, Burnett, Glimm, Hagstrom, Jones, Lamm, Manzella, McKamey, Meyers, Randall, Redfield, Ricci, Schwaderer, Staffanson, Wittich, Zolnikov.  
Total 18

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 85** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 98

Nays: Wagoner, Wittich.  
Total 2

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 95** concurred in as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci,

HOUSE JOURNAL  
THIRTY-FIFTH LEGISLATIVE DAY - FEBRUARY 16, 2015

Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 85

Nays: J. Bennett, Brodehl, B. Brown, Cook, Cuffe, Flynn, Glimm, Hess, Lamm, McKamey, Meyers, Olszewski, Redfield, Wagoner, Wittich.

Total 15

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 108** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Berry, B. Brown, Monforton.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 113** concurred in as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Garner, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty,

HOUSE JOURNAL  
THIRTY-FIFTH LEGISLATIVE DAY - FEBRUARY 16, 2015

McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 57

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Court, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Jones, Lamm, Lang, Laszloffy, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 43

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 163** concurred in as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Funk, Garner, Hagstrom, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 67

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Essmann, Flynn, Glimm, Greef, Harris, Hertz, Hess, Jones, Lamm, Laszloffy, Manzella, McKamey, Miller, Monforton, Mortensen, Olszewski, Pinocci, Randall, Redfield, Regier, Schwaderer, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 33

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**MOTIONS**

Majority Leader Regier moved **HB 305** be moved from the Committee of the Whole to the Appropriations Committee.

HOUSE JOURNAL  
THIRTY-FIFTH LEGISLATIVE DAY - FEBRUARY 16, 2015

Majority Leader Regier moved **HB 337** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **HB 499** be moved from the Judiciary Committee to the Business and Labor Committee.

Representative B. Bennett moved that **HB 282** be taken from Judiciary and brought before the Committee of the Whole.

Motion **failed** as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Zolnikov.

Total 43

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Mr. Speaker.

Total 57

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**UNFINISHED BUSINESS**

Mr. Speaker, I move that the following undersigned names be **ADDED** as sponsors to **HB 511** Motion carried.

**HB 511** (B. Tschida, Chief Sponsor)  
Arntzen and Blasdel.

In a **Point of Personal Privilege** Representative Cook rose to apologize to Representative Wittich and the body for cursing and impugning a motive that did not exist during discussion.

HOUSE JOURNAL  
THIRTY-FIFTH LEGISLATIVE DAY - FEBRUARY 16, 2015

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Tuesday, February 17, 2015. Motion carried.

House adjourned at 3:18 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
THIRTY-SIXTH LEGISLATIVE DAY**

Helena, Montana  
February 17, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Lamm.  
Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

**BILLS** (Welborn, Chair):

2/17/2015

Correctly printed: **HB 424, HB 449, HB 466, HB 470, SB 111.**

Correctly engrossed: **HB 369, HB 382, HB 429, HB 431, HB 503, HJR 12, HJR 15, SB 41, SB 150.**

Transmitted to the Senate: **HB 289, HB 373, HJR 10, SB 6, SB 28, SB 32, SB 67, SB 85, SB 95, SB 108, SB 113, SB 163.**

Signed by the Speaker at 3:15 p.m., February 17, 2015: **HB 26, HB 134.**

Signed by the Chief Clerk of the House at 3:27 p.m., February 17, 2015: **HB 26, HB 134.**

Signed by the President at 9:00 a.m., February 17, 2015: **HB 91, HB 94, HB 105, HB 112, HB 136, HB 147, HB 157, HB 184.**

Signed by the President at 4:30 p.m., February 17, 2015: **HB 26, HB 134.**

Delivered to the Governor for approval at 9:50 a.m., February 17, 2015: **HB 91, HB 94, HB 105, HB 112, HB 136, HB 147, HB 157, HB 184.**

**REPORTS OF STANDING COMMITTEES**

**BUSINESS AND LABOR** (Berry, Chair):

2/17/2015

**HB 449**, do pass. Report adopted.

**HB 470**, do pass. Report adopted.

**HB 503**, introduced bill, be amended as follows:

1. Title, page 1, line 5 through line 6.

**Strike:** "INCLUDING LOSS" on line 5 through the first "LOSS INFORMATION;" on line 6

2. Title, page 1, line 7 through line 8.

**Strike:** "SECTIONS" on line 7 through the first "AND" on line 8

**Insert:** "SECTION"

3. Page 1, line 19.

**Strike:** "and reserves established"

4. Page 1, line 27 through page 2, line 19.

**Strike:** section 2 in its entirety

**Renumber:** subsequent sections

HOUSE JOURNAL  
THIRTY-SIXTH LEGISLATIVE DAY - FEBRUARY 17, 2015

5. Page 3, line 11.

**Strike:** "and loss reserve amounts"

6. Page 3, line 18.

**Following:** "(3)"

**Insert:** "of this section"

And, as amended, do pass. Report adopted.

**SB 41**, be amended as follows:

1. Page 4, line 19.

**Strike:** "and"

2. Page 4, line 20.

**Following:** "members"

**Insert:** "; and"

(g) if the foreign limited liability company has one or more series of members, the name of each series of members. A copy of the operating agreement of each series of members must be included with the application"

3. Page 4, line 21 through line 22.

**Strike:** ";" on line 21 through "(a)" on line 22

4. Page 4, line 24 through line 26.

**Strike:** ";and" on line 24 through "series of members" on line 26

And, as amended, be concurred in. Report adopted.

**FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS** (Lang, Chair): 2/16/2015

**HJR 15**, be adopted. Report adopted.

**SB 111**, be concurred in. Report adopted.

**SB 150**, be amended as follows:

1. Title, page 1.

**Following:** line 5

**Insert:** "CLARIFYING WAYS A PUBLIC UTILITY MAY PROVIDE ASSISTANCE;"

2. Page 2, line 19.

**Following:** "activities."

**Insert:** "Internal programs and activities may include providing low-income energy and weatherization assistance on Indian reservations."

HOUSE JOURNAL  
THIRTY-SIXTH LEGISLATIVE DAY - FEBRUARY 17, 2015

3. Page 4.

**Following:** line 30

**Insert:** "COORDINATION SECTION. **Section 3. Coordination instruction.** If both Senate Bill No. 11 and [this act] are passed and approved and if both amend 69-8-402, then the sections amending 69-8-402 are void and 69-8-402 must be amended as follows:

**"69-8-402. Universal system benefits programs.** (1) Universal system benefits programs are established for the state of Montana to ensure continued funding of and new expenditures for energy conservation, renewable resource projects and applications, and low-income energy assistance.

(2) ~~Beginning~~ Except as provided in subsection (11), beginning January 1, 1999, 2.4% of each utility's annual retail sales revenue in Montana for the calendar year ending December 31, 1995, is established as the initial funding level for universal system benefits programs. To collect this amount of funds on an annualized basis in 1999, the commission shall establish rates for utilities subject to its jurisdiction and the governing boards of cooperatives shall establish rates for the cooperatives.

(a) The recovery of all universal system benefits programs costs imposed pursuant to this section is authorized through the imposition of a universal system benefits charge assessed at the meter for each local utility system customer as provided in this section.

(b) A utility must receive credit toward annual funding requirements for the utility's internal programs or activities that qualify as universal system benefits programs, including those amortized or nonamortized portions of expenditures for the purchase of power that are for the acquisition or support of renewable energy, conservation-related activities, or low-income energy assistance, and for large customers' programs or activities as provided in subsection (7). The department of revenue shall review claimed credits of the utilities and large customers pursuant to 69-8-414.

(c) A utility at which the sale of power for final end use occurs is the utility that receives credit for the universal system benefits programs expenditure.

(d) A customer's utility shall collect universal system benefits funds less any allowable credits.

(e) For a utility to receive credit for low-income-related expenditures, the activity must have taken place in Montana.

(f) If a utility's or a large customer's credit for internal activities does not satisfy the annual funding provisions of subsection (2), then the utility shall make a payment to the universal system benefits fund established in 69-8-412 for any difference.

(3) Cooperative utilities may collectively pool their statewide credits to satisfy their annual funding requirements for universal system benefits programs and low-income energy assistance.

(4) A utility's transition plan must describe how the utility proposes to provide for universal system benefits programs, including the methodologies, such as cost-effectiveness and need determination, used to measure the utility's level of contribution to each program.

(5) (a) A cooperative utility's minimum annual funding requirement for low-income energy and weatherization assistance is established at 17% of the cooperative utility's annual universal system benefits funding level and is inclusive within the overall universal system benefits funding level.



HOUSE JOURNAL  
THIRTY-SIXTH LEGISLATIVE DAY - FEBRUARY 17, 2015

(b) Except as provided in subsection (11), a public utility's minimum annual funding requirement for low-income energy and weatherization assistance is established at 50% of the public utility's annual universal system benefits funding level and is inclusive within the overall universal system benefits funding level.

~~(a)~~(c) A utility must receive credit toward the utility's low-income energy assistance annual funding requirement for the utility's internal low-income energy assistance programs or activities.

~~(b)~~(d) If a utility's credit for internal activities does not satisfy its annual funding requirement, then the utility shall make a payment for any difference to the universal low-income energy assistance fund established in 69-8-412.

(6) An individual customer may not bear a disproportionate share of the local utility's funding requirements, and a sliding scale must be implemented to provide a more equitable distribution of program costs.

(7) (a) A large customer:

(i) shall pay a universal system benefits programs charge with respect to the large customer's qualifying load equal to the lesser of:

(A) \$500,000, less the large customer credits provided for in this subsection (7); or

(B) the product of 0.9 mills per kilowatt hour multiplied by the large customer's total kilowatt hour purchases, less large customer credits with respect to that qualifying load provided for in this subsection (7);

(ii) must receive credit toward that large customer's universal system benefits charge for internal expenditures and activities that qualify as a universal system benefits programs expenditure, and these internal expenditures must include but not be limited to:

(A) expenditures that result in a reduction in the consumption of electrical energy in the large customer's facility; and

(B) those amortized or nonamortized portions of expenditures for the purchase of power at retail or wholesale that are for the acquisition or support of renewable energy or conservation-related activities.

(b) Large customers making these expenditures must receive a credit against the large customer's universal system benefits charge, except that any of those amounts expended in a calendar year that exceed that large customer's universal system benefits charge for the calendar year must be used as a credit against those charges in future years until the total amount of those expenditures has been credited against that large customer's universal system benefits charges.

(8) (a) Except as provided in subsection (11), a public utility shall prepare and submit an annual summary report of the public utility's activities relating to all universal system benefits programs to the commission, the department of revenue, and the energy and telecommunications interim committee provided for in 5-5-230. A cooperative utility shall prepare and submit annual summary reports of activities to the cooperative utility's respective local governing body, the statewide cooperative utility office, and the energy and telecommunications interim committee. The statewide cooperative utility office shall prepare and submit an annual summary report of the activities of individual cooperative utilities, including a summary of the pooling of statewide credits, as provided in subsection (3), to the department of revenue and the energy and telecommunications interim committee. The annual report of a public utility or of the statewide cooperative utility office must include but is not limited to:

HOUSE JOURNAL  
THIRTY-SIXTH LEGISLATIVE DAY - FEBRUARY 17, 2015

(i) the types of internal utility and customer programs being used to satisfy the provisions of this chapter;

(ii) the level of funding for those programs relative to the annual funding requirements prescribed in subsection (2); and

(iii) any payments made to the statewide funds in the event that internal funding was below the prescribed annual funding requirements.

(b) Before September 15 of the year preceding a legislative session, the energy and telecommunications interim committee shall review the universal system benefits programs and, if necessary, submit recommendations regarding these programs to the legislature.

(9) A utility or large customer filing for a credit shall develop and maintain appropriate documentation to support the utility's or the large customer's claim for the credit.

(10) (a) A large customer claiming credits for a calendar year shall submit an annual summary report of its universal system benefits programs activities and expenditures to the department of revenue and to the large customer's utility. The annual report of a large customer must identify each qualifying project or expenditure for which it has claimed a credit and the amount of the credit. Prior approval by the department of revenue or the utility is not required, except as provided in subsection (10)(b).

(b) If a large customer claims a credit that the department of revenue disallows in whole or in part, the large customer is financially responsible for the disallowance. A large customer and the large customer's utility may mutually agree that credits claimed by the large customer be first approved by the utility. If the utility approves the large customer credit, the utility may be financially responsible for any subsequent disallowance.

(11) A public utility with fewer than 50 customers is exempt from the requirements of this section."

**Renumber:** subsequent sections

And, as amended, be concurred in. Report adopted.

**HUMAN SERVICES** (Wittich, Chair):

2/16/2015

**HB 382**, do pass. Report adopted.

**HB 429**, do pass. Report adopted.

**JUDICIARY** (Bennett, Chair):

2/17/2015

**HB 369**, introduced bill, be amended as follows:

1. Page 2, line 5.

**Strike:** "as determined by the court"

**Insert:** "if a court determines that a claim or defense is frivolous or vexatious"

And, as amended, do pass. Report adopted.

**HB 424**, do pass. Report adopted.

**HB 466**, do pass. Report adopted.

HOUSE JOURNAL  
THIRTY-SIXTH LEGISLATIVE DAY - FEBRUARY 17, 2015

**STATE ADMINISTRATION** (Essmann, Chair):  
**HB 431**, introduced bill, be amended as follows:

2/17/2015

1. Page 2, line 9.

**Strike:** "special revenue"

**Insert:** "private purpose"

2. Page 2, line 16.

**Strike:** "special revenue"

**Insert:** "private purpose trust fund"

**Following:** "account"

**Insert:** ", as provided for in 17-2-102(3)(a),"

And, as amended, do pass. Report adopted.

**HJR 12**, be adopted. Report adopted.

**MESSAGES FROM THE SENATE**

**House bill** concurred in and returned to the House:

2/14/2015

**HB 26**, introduced by MacDonald

**House bill** concurred in as amended and returned to the House for concurrence in Senate amendments:

2/14/2015

**HB 74**, introduced by Lynch

**Senate bills** passed and transmitted to the House for concurrence:

2/14/2015

**SB 122**, introduced by Rosendale

**SB 176**, introduced by Pomnichowski

**SB 200**, introduced by Ankney

**SB 209**, introduced by Rosendale

**SB 242**, introduced by Webb

**SB 247**, introduced by Brenden

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 542**, introduced by G. Hertz, referred to Business and Labor.

**HB 543**, introduced by D. Moore, referred to Local Government.

**HB 545**, introduced by A. Olszewski, referred to Human Services.

**HB 546**, introduced by N. Schwaderer, referred to Business and Labor.

HOUSE JOURNAL  
THIRTY-SIXTH LEGISLATIVE DAY - FEBRUARY 17, 2015

**HB 547**, introduced by N. Schwaderer, referred to Human Services.  
**HB 548**, introduced by F. Mandeville, referred to Local Government.  
**HB 549**, introduced by M. MacDonald, referred to Transportation.  
**HB 550**, introduced by K. Swanson, referred to Business and Labor.  
**HB 551**, introduced by A. Person, referred to Taxation.  
**HB 552**, introduced by S. Berglee, referred to Business and Labor.  
**HB 553**, introduced by M. Noland, G. Bennett, B. Brown, S. Fitzpatrick, C. Glimm, E. Lieser, A. Olsen, B. Smith, S. Staffanson, J. Taylor, referred to Natural Resources.  
**HB 554**, introduced by G. Pierson, referred to Business and Labor.  
**HB 555**, introduced by S. Fitzpatrick, R. Lynch, referred to Local Government.  
**HB 556**, introduced by S. Lavin, referred to Transportation.  
**HB 557**, introduced by B. Harris, referred to Agriculture.

The following Senate bills were introduced, read first time, and referred to committees:

**SB 122**, introduced by M. Rosendale, J. Brenden, D. Brown, A. Doane, C. Glimm, B. Keenan, A. Knudsen, M. Monforton, F. Moore, D. Mortensen, R. Pinocci, T. Richmond, D. Salomon, K. White, A. Wittich, referred to Taxation.  
**SB 176**, introduced by J. Pomnichowski, Dick Barrett, J. Brenden, Z. Brown, E. Buttrey, C. Clark, J. Cohenour, R. Cook, J. Ellis, T. Facey, M. Funk, K. Hansen, D. Hayman, S. Hess, E. Hill, J. Karjala, E. Lieser, S. Malek, E. McClafferty, M. McNally, M. Moe, P. Noonan, A. Olsen, M. Phillips, C. Pope, J. Price, R. Shaw, B. Smith, T. Steenberg, J. Welborn, L. Whitford, K. Williams, N. Wilson, J. Windy Boy, T. Woods, referred to Agriculture.  
**SB 200**, introduced by D. Ankney, referred to Taxation.  
**SB 209**, introduced by M. Rosendale, D. Zolnikov, referred to Judiciary.  
**SB 242**, introduced by R. Webb, referred to Judiciary.  
**SB 247**, introduced by J. Brenden, D. Ankney, N. Ballance, M. Blasdel, D. Brown, E. Buttrey, A. Doane, C. Glimm, B. Hamlett, D. Kary, J. Keane, M. Lang, M. Miller, F. Moore, D. Mortensen, R. Osmundson, A. Redfield, R. Ripley, M. Rosendale, C. Smith, S. Staffanson, N. Swandal, J. Taylor, F. Thomas, G. Vance, R. Webb, referred to Fish, Wildlife and Parks.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Kelker in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 296** - Representative Noonan moved **HB 296** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus,

HOUSE JOURNAL  
THIRTY-SIXTH LEGISLATIVE DAY - FEBRUARY 17, 2015

Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 95

Nays: B. Brown, Lamm, Pinocci, Wittich, Zolnikov.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 328** - Representative Tschida moved **HB 328** do pass. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Custer, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Shaw, Staffanson, Tschida, Wagoner, White, Mr. Speaker.

Total 49

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Schwaderer, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 51

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 345** - Representative Zolnikov moved **HB 345** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann,

HOUSE JOURNAL  
THIRTY-SIXTH LEGISLATIVE DAY - FEBRUARY 17, 2015

Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Lavin, McClafferty, Ricci, Schreiner.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 350** - Representative Shaw moved **HB 350** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Harris.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
THIRTY-SIXTH LEGISLATIVE DAY - FEBRUARY 17, 2015

**HB 353** - Representative Greef moved **HB 353** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cuffe, Curdy, Doane, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jones, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Mandeville, Manzella, McCarthy, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Olszewski, Osmundson, Perry, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 77

Nays: B. Bennett, Z. Brown, Cook, Court, Custer, Dudik, Funk, Hayman, Hunter, Jacobson, Karjala, Lynch, MacDonald, McClafferty, Monforton, Noonan, Olsen, Pease-Lopez, Peppers, Person, Schreiner, Tropila, Wilson.  
Total 23

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HJR 11** - Representative Lang moved **HJR 11** be adopted. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Karjala, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Peppers, Perry, Person, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Swanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 72

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Kelker, Kipp III, Lieser, MacDonald, McCarthy, McConnell, Olsen, Pease-Lopez, Pope, Price, Steenberg, Tropila, Webber, Williams, Wilson, Woods.  
Total 28

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
THIRTY-SIXTH LEGISLATIVE DAY - FEBRUARY 17, 2015

**SB 1** - Representative McKamey moved **SB 1** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Z. Brown, Burnett, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Funk, Garner, Greef, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Moore, Noland, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Williams, Wilson, Woods, Mr. Speaker.  
Total 60

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Cook, Cuffe, Doane, Fitzpatrick, Flynn, Glimm, Hagstrom, Harris, Hertz, Hess, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Meyers, Miller, Monforton, Mortensen, Olszewski, Osmundson, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Wagoner, Welborn, White, Wittich, Zolnikov.  
Total 40

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 63** - Representative McKamey moved **SB 63** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0



HOUSE JOURNAL  
THIRTY-SIXTH LEGISLATIVE DAY - FEBRUARY 17, 2015

**SB 64** - Representative Shaw moved **SB 64** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McKamey, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 93

Nays: Brodehl, Hagstrom, Meyers, Tropila, Wittich, Zolnikov.

Total 6

Excused: None.

Total 0

Absent or not voting: McConnell.

Total 1

**SB 72** - Representative B. Brown moved **SB 72** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McCarthy, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 62

Nays: B. Bennett, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McClafferty, McConnell, Mehlhoff, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 38

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
THIRTY-SIXTH LEGISLATIVE DAY - FEBRUARY 17, 2015

**SB 76** - Representative Pierson moved **SB 76** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fiscus, Fitzpatrick, Funk, Greef, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 65

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Essmann, Flynn, Garner, Glimm, Hagstrom, Hess, Jones, Lamm, Laszloffy, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Regier, Schwaderer, Tschida, Wagoner, Wittich, Zolnikov.

Total 35

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 135** - Representative Hunter moved **SB 135** be concurred in. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Ballance, Court, Glimm.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
THIRTY-SIXTH LEGISLATIVE DAY - FEBRUARY 17, 2015

**SB 139** - Representative McConnell moved **SB 139** be concurred in. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 91

Nays: Ballance, Brodehl, B. Brown, Cuffe, Flynn, Glimm, Lamm, Schwaderer, Tschida.  
Total 9

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Kelker moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
THIRTY-SIXTH LEGISLATIVE DAY - FEBRUARY 17, 2015

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 279** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 354** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

HOUSE JOURNAL  
THIRTY-SIXTH LEGISLATIVE DAY - FEBRUARY 17, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 358** passed as follows:

Yeas: B. Bennett, Berry, Clark, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Funk, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 55

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Doane, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Hertz, Hess, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Noland, Osmundson, Pinocci, Randall, Redfield, Regier, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 45

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 359** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Pinocci, Tschida, Wagoner.

Total 3

HOUSE JOURNAL  
THIRTY-SIXTH LEGISLATIVE DAY - FEBRUARY 17, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 390** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 392** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

HOUSE JOURNAL  
THIRTY-SIXTH LEGISLATIVE DAY - FEBRUARY 17, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 393** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Harris.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 396** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Tropila.

Total 1

HOUSE JOURNAL  
THIRTY-SIXTH LEGISLATIVE DAY - FEBRUARY 17, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 400** passed as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Garner, Harris, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Monforton, Moore, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 58

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Fiscus, Flynn, Glimm, Greef, Hagstrom, Hertz, Hess, Holmlund, Jones, Lamm, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Mortensen, Noland, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 42

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**MOTIONS**

Majority Leader Regier moved **HB 491** be moved from the Judiciary Committee to the Transportation Committee.

Majority Leader Regier moved **HB 500** be moved from the Human Services Committee to the Business and Labor Committee.

**SPECIAL ORDERS OF THE DAY**

The Speaker announced to the members that the House was honored to have five youths representing the Boys and Girls Clubs of Montana in attendance and asked the members to join him in welcoming the 2015 Youth of the Year.

Representative MacDonald read the following Proclamation:



HOUSE JOURNAL  
THIRTY-SIXTH LEGISLATIVE DAY - FEBRUARY 17, 2015

**A JOINT PROCLAMATION OF THE MONTANA LEGISLATURE**

WHEREAS, There are 28 Boys & Girls Club sites in the State of Montana providing services to over 18,000 youth each year, including a site on Malmstrom Air Force Base and 14 sites on Native American reservations; and

WHEREAS, Since opening their doors for the first time on February 4, 1971 the Boys and Girls Clubs in Montana strives to enable all young people, especially those in the most need, to realize their full potential as productive, caring and responsible citizens; and

WHEREAS, Since 1947, Youth of the Year has been Boys and Girls Clubs of America's premier recognition program, celebrating the achievements of Club members. Each year one exceptional Club member is selected to be the National Youth of the Year. The National Youth of the Year serves as both an exemplary ambassador for Boys and Girls Club youth, and as a strong voice for all our nation's young people; and

WHEREAS, Being named Youth of the Year is the highest honor a Boys and Girls Club member can receive. The journey to being named National Youth of the Year begins locally and progresses to the state, regional and national levels. To achieve the title of Youth of the Year on any level, Club members must embody the values of: leadership and service, academic excellence, and healthy lifestyles. They should exemplify the critical impact that Boys and Girls Clubs have on the lives of young people.

WHEREAS; It is fitting that our outstanding young people and the organizations that support them are recognized for making Montana a better place. In 2015, we honor the following youths who have made an indelible impression on their local club and community:

Samantha M. Gangstad, Boys & Girls Club of Richland County  
Shelby Tatarka, Boys & Girls Club of Southwest Montana  
Hope Peak, Boys & Girls Clubs of Yellowstone County, Bair Family Unit  
BerLee L. Hewitt, HELP Committee and Boys & Girls Club of the Hi-Line  
Jared D. McMullen, Malmstrom Youth Programs, Malmstrom AFB

THEREFORE, be it resolved that the Legislature of the State of Montana recognizes and commends the Boys and Girls Clubs in Montana and congratulates the young people who have been named Youth of the Year. We thank all the people involved who have contributed selflessly to their communities, served as role models, and committed themselves to doing more for our state. We extend to the awardees our best wishes for success, and hope the Boys and Girls Clubs continue their fine work shaping the lives of thousands of young Montanans every day.

HOUSE JOURNAL  
THIRTY-SIXTH LEGISLATIVE DAY - FEBRUARY 17, 2015

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Wednesday, February 18, 2015. Motion carried.

House adjourned at 3:04 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
THIRTY-SEVENTH LEGISLATIVE DAY**

Helena, Montana  
February 18, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Garner. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

**MOTIONS**

Majority Leader Reiger moved the House recess for the purpose of receiving an address by the Honorable Senator for the State of Montana, Steve Daines. Upon Adjournment of the Joint Session, the House will reconvene. Motion carried.

House in Recess.

Sergeant-at-Arms Lenz notified Speaker Knudsen that the Honorable Senate of the State of Montana awaited entrance to the Chamber.

Speaker Knudsen requested Sergeant-at-Arms Lenz admit the Honorable Senate into the House Chamber.

Speaker Knudsen introduced Senate President Barrett and yielded the chair to her.

Senate Majority Leader Rosendale moved that the body resolve itself into a Joint Session for the purpose of receiving an address by the Honorable Senator from the State of Montana, Steve Daines. Motion carried.

Senate Majority Leader Rosendale moved that President Barrett be authorized to appoint a committee of four to notify Senator Daines that the body was in Joint Session and ready to receive his address. Motion carried.

President Barrett appointed Senator Taylor, Senator Vuckovich, Representative Burnett, and Representative Lynch to escort Senator Daines into the House Chamber.

Sergeant-at-Arms Spencer announced that the Honorable Senator Steve Daines, was awaiting entrance to the House.

The Committee escorted Senator Daines into the chambers.

President Barrett introduced Senator Daines, Senator for the State of Montana, to the Joint Session.

HOUSE JOURNAL  
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 18, 2015

Senator Daines gave the following remarks:

President Barrett, Speaker Knudsen, Senator Sesso and Representative Hunter. Members of the Montana State Senate and State House. Governor Bullock and our other statewide elected officials here today.

I'm honored to be here today, and grateful for this opportunity to speak with all of you. I remember the last time I was standing in this spot as your newly elected Congressman. Well, it's been two years, and here I am again, speaking to you as a freshman.

It is an incredible honor to represent Montana in the United States Senate. And it continues to be a great privilege to work with all of you - our legislators and statewide officials - to serve the people of Montana. As a citizen legislature, you put your lives and your small businesses on hold, and come to Helena to serve. And not to serve yourselves-to serve your neighbors. Your communities. The people of Montana.

Now, I know that you won't all agree on everything 100% of the time. But we are united by a desire to serve the people of Montana and work for solutions that move our state forward.

Montanans don't want to see an "R" or a "D" behind their elected officials' names - they want to see "MT." Because we weren't elected to serve a political party - we were elected to serve the people of Montana. That's something that as citizen legislators, you understand well. Unfortunately, Washington still doesn't get it.

Washington is more concerned with its own self-interest and self-gain than the well-being of the American people. That's why the first bill I introduced in the Senate - just last week- was the Balanced Budget Accountability Act, which mandates that Congress balance the budget - or members won't get paid.

It's a charge I led in the House, and I'll continue fighting in the Senate. It's time that Washington is held accountable to the American people. Montana families, Montana small business - the Montana State Legislature - all have to balance their budgets. It's time that Washington D.C. takes a page out of Montana's playbook and balances its budget.

Our national debt crisis is a prime example of how broken Washington is. The non-partisan Congressional Budget Office recently reported that if the federal government remains on its current path, our national debt will rise from \$18 trillion to more than \$25 trillion in 10 years. Over the next ten years, we'll pay \$5.6 trillion in interest alone. That's enough to pay for Montana's current annual budget for the next 2500 years.

Our country is on an unsustainable fiscal path that is headed toward bankruptcy. That is why I urge you, as our state's leaders, to set forward a path for Montana that is founded upon Montana-driven solutions and Montana-driven success. We must be wary of increasing our dependence on Washington and a federal government that is accruing debt at an unprecedented rate.

HOUSE JOURNAL  
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 18, 2015

That's why Montana's destiny must be determined by Montanans - not the federal government. After all - in Washington, D.C. we have but three Montana voices - Jon, Ryan and me - among 535. It's better when 100 Montana State Representatives and 50 Montana State Senators, a Montana governor, and a Montana Attorney General take the lead on issues that directly impact the future of Montana versus the U.S. Senate, the House, President Obama and Eric Holder

We all know that Montana is a great place to live, to recreate, to raise a family. So why isn't it a better place to work? Why is it that from year to year, Montana consistently ranks near the bottom in median income? Why is it that 4 out of 5 of our engineering graduates leave Montana to find work? We should be exporting our wheat and cattle - not our kids. Why is it that our once thriving timber industry has all but come to a halt?

Montana is the best state in the union. But better is possible. I'm convinced that the best solutions and the best policies for Montana aren't going to come from some bureaucrats or career politicians 2,000 miles away in Washington, D.C. They're going to come from Montanans -- from local legislators like you, from Montana small business owners, from Montana families.

Let me tell you - Washington is the problem. Montana has the solutions. So why - when we look to solve the problems facing our state - would we look to DC for the answers?

To prove how out-of-touch Washington, D.C. is, Montanans need to look no further than to the EPA. From trying to regulate dry ditches and puddles, to writing yet another rule to cripple our coal industry, the EPA is doing everything it can to make life worse for hardworking Montana farmers and ranchers, our union members, our families, and our tribes.

The Crow Reservation is home to some of the richest coal deposits in Montana. The Crow people want to have control of their resources, control of their destiny. Yet a misguided, Washington, D.C. agenda prevents them from doing so.

President Obama is waging a war on coal that is a direct threat to affordable energy, to good paying jobs, and to the economic future of Montana's tribes. While serving in the House, I invited Crow Chairman Darrin Old Coyote to testify before the Natural Resources Committee. And what he said has stayed with me, and sadly proven time and time again to be true.

He said "A war on coal is a war on the Crow people."

Unemployment on the Crow Reservation is around 50%. As Chairman Old Coyote has told me, without those good-paying jobs in the Absaloka Mine or at Colstrip Power Plant, unemployment would be closer to 90%.

The EPA and its latest regulations are a direct threat to the Crow Tribe's economic future. It's a threat to the more than 4,000 good paying jobs in our coal mines and Colstrip Power Plant. It's a threat to the tens of millions of dollars in tax revenue that you as legislators depend upon to fund government services.

HOUSE JOURNAL  
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 18, 2015

But that's not the only place where we've seen Washington's war against hard working Montanans. Last month, the House and Senate both passed legislation approving construction of the Keystone XL pipeline. All three of your federal representatives - Senator Tester, Congressman Zinke, and I - all voted in support of the pipeline.

Next week, after six years of waiting on the President to make a decision, the Keystone bill will head to his desk, where he'll finally have to make a yes or no decision. All signs indicate he plans to veto it.

Last night, I was talking with Rion Miles - the business manager for Operating Engineers Local 400. The Keystone XL pipeline will create 300 good-paying jobs for his union members in Montana alone. And like most Montanans, Rion doesn't understand why the President is standing in the way of those good-paying union jobs.

Well I have a message from the people of Montana. Mr. President, it's time to stop debating, and it's time to start building the Keystone Pipeline.

The Keystone pipeline isn't just a pipeline for oil. It's a lifeline for thousands of Montana families who are looking for something - anything - to bring back economic hope in their communities.

McCone County is one of six Montana counties that the Keystone XL pipeline will run through. Circle - the McCone county seat - has experienced the same economic and population declines that many northeastern Montana towns have faced in recent years. Families have moved away. Businesses have closed. Main Street isn't the same as it was even a decade or two ago. McCone County has significant infrastructure needs that have gone unresolved in the wake of a shrinking tax base.

For towns like Circle, the Keystone XL pipeline isn't just about energy - it represents economic opportunity and hope for the future. In just the first year of Keystone's operation, McCone County alone would see \$18 million in property tax revenues. That's money for schools and roads and teacher salaries. That's economic opportunity and hundreds of new jobs in the area.

And it's not just McCone County that will benefit. The Montana Department of Revenue estimates that another \$45 million per year would be distributed among Valley, Dawson, Phillips, Fallon and Prairie Counties - which also lie along the pipeline's path. And more than \$16 million per year would go directly to Montana's schools and university systems.

But that's not all. Not too long ago, I was up in Glasgow visiting with the folks at NorVal Electric Co-op. NorVal, along with several other rural Montana electric cooperatives, will supply power for one of the Keystone XL pipeline's pump stations.

If the pipeline is built, NorVal estimates that they can keep their consumers' electric rates flat for the next ten years. For thousands of Montana families living paycheck-to-paycheck, stable energy rates for a decade would be one less thing they'd have to worry about. But if the pipeline is not

HOUSE JOURNAL  
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 18, 2015

approved, rates for those same hard working families will increase by 40 percent over the same time period. That's a potential increase of about \$480 dollars per year for the average household in Montana.

Why then does Washington continue to put barrier after barrier up to prevent job creation? Why does the EPA continue to impose regulation after regulation that will prevent one of the few bright spots in our economy - our energy industry - from growing?

We need Montana-driven policies that empower our farmers and ranchers and encourage the growth of jobs in our coalmines and sawmills and on our oil fields.  
Washington is the problem - Montana has the solutions.

But the federal government's mismanagement of our resources isn't just isolated to our coal reserves. We see it in our National Forests and our public lands. Our public lands are a tremendous asset to our tourism economy and our way of life. It's one of the reasons that many people come to Montana in the first place.

At RightNow Technologies, where we created hundreds of Montana jobs, with salaries averaging over \$70,000 per year, our recruiting slogan was "work where you also like to play."

I grew up in Bozeman, hunting and fishing on our public lands. I backpacked all over the Spanish Peaks, the Beartooths, the Crazies... and climbed Montana's highest point, Granite Peak. In fact, I proposed to my wife, Cindy, on Hyalite Peak south of Bozeman nearly 30 years ago.

Our public lands are an important part of my way of life-just like most Montanans. But the federal government's perpetual failure to properly manage our National Forests has led many of Montana's forested counties into economic despair.

Our state once boasted a robust timber industry. Our forests were healthy and maintained. Thousands of Montanans had good-paying jobs in our mills. But over the past few decades, things have dramatically changed.

Timber harvests in Montana's National Forests have declined 82%. We've lost more than 4,000 high paying jobs in our once thriving timber industry. New federal laws made it easier for fringe groups to shut down resource development with lawsuit after lawsuit. And a flood of new regulations have made it too costly or too complicated to move forward with resource development even if the lawsuits were settled.

Look no further than Pyramid Lumber in Seeley Lake, which is running at just two-thirds capacity because they can't find logs. Or RY Lumber in Livingston and Tricon Timber in St. Regis - these mills are surrounded by dense forests on all sides. Yet they both have to purchase logs 500 miles away in Wyoming. Or look at Stoltze Lumber in Columbia Falls - I was just up there yesterday, talking with mill workers. In recent months, the mill has cut back production by 20 hours a week. Ten employees have been laid off. All because persistent litigation has reduced log supply and tied up timber sales throughout Montana.

HOUSE JOURNAL  
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 18, 2015

Awhile back, I was visiting with a couple from Eureka and asked them how it was all going. They said: "Steve, what we have in Lincoln County is poverty with a view."

Lincoln and Sanders Counties boast natural beauty that is hard to match. Dense forests, rugged peaks, pristine streams - these are the qualities that many think of when they look at western Montana. But as far too many families in Libby and Plains and Eureka and Thompson Falls know, a great view on its own can't pay the bills. These are communities that once had thriving resource industries - mills were running at full capacity and miners were hard at work. The situation today is much different.

More than 81% of Sanders County and 78% of Lincoln County is made up of federally owned land. When your largest landowner in the county doesn't pay taxes and doesn't provide economic opportunities on its land, the revenue base is pretty limited. It's hardly a coincidence that these same counties with the highest percentage of federal lands have the lowest median incomes in Montana.

Last year, the New York Times did an assessment of the "health and wealth" of every county in the nation. You might expect folks in Silicon Valley to be doing fairly well. Or see New York City suburbs thriving. What shocked me was seeing that six of the nation's top ten wealthiest counties surround Washington, D.C. This sends a pretty clear message about where Washington's priorities really are.

During the recession-while millions of Americans were struggling to make ends meet amidst layoffs and economic instability, Washington, D.C. thrived. The federal government poured millions of dollars into new buildings. And salaries kept growing and growing. The average federal bureaucrat in the Department of Education in Washington, D.C. makes \$107,000 a year. It's time we stop building bureaucratic D.C. kingdoms, and return those dollars back to the classrooms.

We see a similar trend here in Montana. When looking at median income, two of the top three counties in Montana are Jefferson County and Lewis and Clark County - in short, Helena. Our capitol. Now, I'm happy to see folks in all corners of our state succeeding and being able to provide for their families. But what kind of message does it send when the seat of Montana's government is thriving while families in northwestern Montana can't find work?

Our public lands and our National Forests are some of Montana's greatest treasures. But we have to implement meaningful forest management reform that gets our timber industry up and running again, improves the health of our forests, and ensures that places like Sanders and Lincoln Counties aren't dependent on the whims of the federal government's annual budget.

These are serious challenges that I hear about every single day. Montanans are worried. I know that when we look at the big numbers, things seem to be okay in Montana. Our state unemployment rate is down. Our graduation rates are up. These are good things.



HOUSE JOURNAL  
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 18, 2015

But when you leave Helena, and talk with folks in Libby, or Plains, or Thompson Falls, those numbers aren't all that encouraging. Sanders County ranks at the bottom in median income. Lincoln County has the highest unemployment in our state. We can't rely on Washington, D.C. to come up with the solution.

But here in Montana, we also see the opportunities when Montanans are empowered to develop our natural resources. You remember that Jefferson County ranked number one in median income, and Lewis and Clark County ranked number three. Number two is Richland County - the heart of Montana's oil production.

Think of our opportunities if the federal government stepped back and allowed Montanans to develop their resources - to responsibly manage their forests and mine their coal. Let Montanan's have a greater say in the management of our public lands, not Washington D.C.

And yes, we must keep our public lands public. We must stand firm against any efforts to sell our public lands. But we also must remind folks back East, that these lands belong to the public...they belong to the people... not to federal bureaucrats in Washington, D.C. or trial lawyers in San Francisco. Washington is the problem - Montana has the solutions, and there are great opportunities for our state if Montanans are leading the way.

Look no further than our number one industry - agriculture. Montana feeds the world. Our cattle and wheat are two of our biggest exports. Our sugar beets in Sidney and along the Yellowstone River produce the sugar that keeps trick or treaters happy at Halloween. When you drink a Bud Light, or a local Montana microbrew, odds are that you're drinking Montana barley. We need to increase opportunities for our producers to succeed and create good paying jobs - not allow more barriers from the EPA to hold them back.

We need a free and fair trade system that opens markets for Montana farmers and ranchers. We need to support new export terminals so that our producers can get their grain and cattle to market.

We also have tremendous opportunities to develop our state's energy resources and create new jobs in our eastern Montana communities. In recent months, we've seen the price of gas drop below \$2 a gallon, thanks to more made in America energy - that works out to be a \$750 per year savings for the average American household. That's a good thing. But rather than hitting pause on our energy production, we need to encourage it.

More made in Montana energy doesn't just mean more money in your pocket when you head to the gas pump or look at your electric bill - it also means more jobs. Our state is a true model of an "all-of-the-above" energy plan. We are blessed with abundant resources - coal, oil, natural gas, water, wind, solar. By responsibly developing all of our energy resources, Montana can help our nation achieve energy independence.

Our energy security, though, isn't just about jobs and low energy prices. It's directly tied to our national security. From the serious threat of ISIS in the Middle East, to Russian aggression in eastern Europe, we're reminded that many of these regions filled with turmoil also supply much of the world's oil and natural gas. The U.S. will become the world's largest oil producer this

HOUSE JOURNAL  
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 18, 2015

year...surpassing Russia and Saudi Arabia. We need more made in America energy, not more made in the Middle East oil.

These threats also affirm the importance of maintaining our strong nuclear deterrence - a critical mission that is based in Montana's own Malmstrom Air Force Base. Not a day should go by when we aren't thanking the men and women at Malmstrom for their service and their important role in keeping our nation - and our world - safe.

On a daily basis, we are reminded of the growing threat of a nuclear Iran or North Korea. We see the mounting threats of radical Islamic terrorism with ISIS in Iraq and Syria, Boko Haram in Nigeria and the Houthis in Yemen. President Obama's efforts to undermine the strength of Malmstrom's mission are shortsighted and misguided, especially in today's increasingly dangerous world.

I have heard from detractors who've said we've never had to use our nuclear mission - so maintaining its full strength isn't necessary. Well, I have a message for those who seek to weaken our ICBM mission: those missiles are used each and every day. We maintain peace through strength. We cannot underestimate the importance of maintaining that strength as we strive to secure our homeland from threats abroad.

Like you, I'm grateful I get to call Montana home. I've always said one of the best decisions I ever made is when I picked my great-great grandmother, who homesteaded east of Conrad...and got our family to Montana.

Montana offers an unmatched quality of life that no other state can compete with. Montana offers a workforce that is unmatched...with a strong work ethic that is passed on from generation to generation in Montana.

And now with technology, we can grow more good-paying jobs that allow Montanans to stay in the state we love. That's because technology has removed geography as a constraint. We can build world-class businesses in Montana.

I saw this when I worked at RightNow Technologies in my hometown of Bozeman. And as I've traveled the state, I've seen the impact that technology has had on dozens of small Montana businesses. From Blue Marble Biomaterials in Missoula, to Resodyn in Butte, to Proof Research in Columbia Falls - Montana is becoming a hub of innovation and technological success.

A study released just yesterday by the University of Montana Bureau of Business and Economic Research showed that Montana's high-tech jobs are growing 8 to 10 times faster than Montana's statewide job growth rate. More, these jobs average wages of more than twice the median statewide income. And in fact last year, 40% of the wage growth in Montana occurred in Gallatin County alone...a hub of high tech growth for Montana.

We must encourage the growth of high-tech jobs in Montana. These are good-paying jobs that will not only allow our state to grow economically - it will ensure that the kids we're training at our universities and colleges can stay in Montana.

HOUSE JOURNAL  
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 18, 2015

That's why we must stand united against Washington, D.C.'s attempts to tax the Internet, limit innovation, and put more senseless regulations on Montana-based small businesses, like Blackfoot Communications, who are working to expand and improve Internet access. The Internet is a laboratory of innovation for Montana small businesses - yet Washington, D.C. wants to tie our entrepreneurs' hands by forcing them to collect internet sales taxes for 9600 different tax jurisdictions, rather than focusing their time and energy on growing their business and creating jobs.

Whether it's an Internet sales tax, or a tax on the Internet itself, one thing is clear - Washington, D.C. is always looking for one more thing to tax. I think I can speak for all Montanans when I say - not on our watch.

We also cannot underestimate the importance of encouraging our students' interests in Science, Math, Engineering and Technology. Increasing educational opportunity in Montana, though, isn't going happen through another federal mandate or a one-size-fits-all regulation. We need to empower our state, our local school boards, our teachers and parents to work together to develop solutions that best fit our kids' unique needs.

Working together, we can find solutions that work for Montana. We can grow our economy and create opportunities for more timber, energy and technology jobs. We can protect access to our public lands and ensure they remain healthy and open for future generations. Washington is the problem- and we have the solutions here in Montana.

We really do live in the greatest state in the country. It truly is the last best place. We know it's the best place to live...let's make it an even better place to work. Thank you, and God Bless.

President Barrett directed the committee of four to escort Senator Daines from the Joint Session.

Senate Majority Leader Rosendale moved that the Joint Session of the 64th Legislature be adjourned. Motion carried.

House Reconvened.

**BILLS** (Welborn, Chair):

2/18/2015

Correctly printed: **HB 366, HB 515, HB 522, HB 537.**

Correctly engrossed: **HB 334, HB 370, HB 436, HB 447, HB 448, HB 461, HB 481.**

Correctly enrolled: **HB 38, HB 103, HB 128, HB 195, HB 248.**

Transmitted to the Senate: **HB 279, HB 354, HB 358, HB 359, HB 390, HB 392, HB 393, HB 396, HB 400.**

Delivered to the Governor for approval at 8:10 a.m., February 18, 2015: **HB 26, HB 134.**

HOUSE JOURNAL  
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 18, 2015

**REPORTS OF STANDING COMMITTEES**

**BUSINESS AND LABOR** (Berry, Chair):

2/18/2015

**HB 481**, introduced bill, be amended as follows:

1. Title, page 1, line 6.

**Strike:** "AND"

**Following:** "30-10-105, MCA"

**Insert:** "; AND PROVIDING AN EFFECTIVE DATE"

2. Page 7, line 17.

**Strike:** "is"

**Insert:** "can be"

3. Page 7, line 24.

**Following:** "registration;"

**Insert:** "and"

4. Page 7.

**Following:** line 30

**Insert:** "NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 2015."

And, as amended, do pass. Report adopted.

**HB 515**, do pass. Report adopted.

**HB 522**, do pass. Report adopted.

**HB 537**, do pass. Report adopted.

**JUDICIARY** (Bennett, Chair):

2/18/2015

**HB 370**, do pass. Report adopted.

**HB 436**, introduced bill, be amended as follows:

1. Title, page 1, line 6.

**Strike:** "AND"

**Following:** "72-38-1008,"

**Insert:** "AND 72-38-1013,"

2. Page 4.

**Following:** line 18

**Insert:** "**Section 5.** Section 72-38-1013, MCA, is amended to read:

**"72-38-1013. Certification of trust.** (1) Instead of furnishing a copy of the trust instrument to a person other than a beneficiary, the trustee may furnish to the person a certification of trust containing the following information:

(a) that the trust exists and the date the trust instrument was executed;

(b) the identity of the settlor;

HOUSE JOURNAL  
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 18, 2015

- (c) the identity and address of the currently acting trustee;
  - (d) the relevant powers of the trustee;
  - (e) the revocability or irrevocability of the trust and the identity of any person holding a power to revoke the trust; ~~and~~
  - (f) the authority of cotrustees to sign or otherwise authenticate and whether all or less than all are required in order to exercise powers of the trustee; and
  - (g) if the governing law of the trust is not the law of Montana, the identity of the state whose laws govern the trust.
- (2) A certification of trust may be signed or otherwise authenticated by any trustee. Upon request, the trustee shall acknowledge the certification in order that the certification may be recorded.
- (3) A certification of trust must state that the trust has not been revoked, modified, or amended in any manner that would cause the representations contained in the certification of trust to be incorrect.
- (4) A certification of trust need not contain the dispositive terms of a trust.
- (5) A recipient of a certification of trust may require the trustee to furnish copies of those excerpts from the original trust instrument and later amendments that designate the trustee and confer upon the trustee the power to act in the pending transaction.
- (6) A person who acts in reliance upon a certification of trust without knowledge that the representations contained therein are incorrect is not liable to any person for so acting and may assume without inquiry the existence of the facts contained in the certification. Knowledge of the terms of the trust may not be inferred solely from the fact that a copy of all or part of the trust instrument is held by the person relying upon the certification.
- (7) A person who in good faith enters into a transaction in reliance upon a certification of trust may enforce the transaction against the trust property as if the representations contained in the certification were correct.
- (8) A person making a demand for the trust instrument in addition to a certification of trust or excerpts is liable for damages if the court determines that the person did not act in good faith in demanding the trust instrument.
- (9) This section does not limit the right of a person to obtain a copy of the trust instrument when required to be furnished by law or in a judicial proceeding concerning the trust.
- (10) A certification under subsection (1)(g) may not be construed as constituting consent by any person receiving a certification of trust to the jurisdiction or application of laws of any state."

And, as amended, do pass. Report adopted.

**HB 447**, introduced bill, be amended as follows:

1. Title, page 1, line 4.

**Strike:** "PETITIONER THAT"

**Insert:** "PERSON WHO"

2. Page 1, line 14.

**Strike:** "petitioner"

**Insert:** "person"

HOUSE JOURNAL  
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 18, 2015

3. Page 1, line 16.

**Strike:** "petitioner"

**Insert:** "person alleging a deprivation of rights"

4. Page 1, line 17.

**Strike:** "petitioner's"

**Insert:** "person's"

And, as amended, do pass. Report adopted.

**HB 448**, introduced bill, be amended as follows:

1. Title, page 1, line 4.

**Strike:** "PLAINTIFF"

**Insert:** "PERSON"

2. Page 1, line 12.

**Strike:** "to plaintiff"

**Strike:** the second "plaintiff"

**Insert:** "person alleging a deprivation of rights"

3. Page 1, line 13.

**Strike:** "plaintiff's"

**Insert:** "person's"

And, as amended, do pass. Report adopted.

**LOCAL GOVERNMENT** (Greef, Chair):

2/17/2015

**HB 334**, introduced bill, be amended as follows:

1. Title, page 1, line 7.

**Strike:** "RECORD"

**Insert:** "SUBMIT"

**Strike:** "WITH"

**Insert:** "TO"

**Following:** "RECORDER"

**Insert:** "FOR ELECTRONIC STORAGE"

2. Page 4, line 3 through line 5.

**Strike:** "record" on line 3

**Insert:** "submit"

**Following:** "body for" on line 4

**Insert:** "electronic"

**Strike:** "record" on line 5

**Insert:** "submit"

HOUSE JOURNAL  
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 18, 2015

**Strike:** "with" on line 5  
**Insert:** "for electronic storage to"

3. Page 8, line 2.  
**Strike:** "recording"  
**Insert:** "electronic storage of"

4. Page 10, line 4.  
**Strike:** "record"  
**Insert:** "submit"  
**Following:** "proceedings"  
**Insert:** "for electronic storage"

5. Page 14, line 2 through line 3.  
**Strike:** "file " on line 2  
**Insert:** "submit"  
**Following:** "proceedings"  
**Insert:** "for electronic storage"

And, as amended, do pass. Report adopted.

**HB 366**, do pass. Report adopted.  
**HB 461**, introduced bill, be amended as follows:

1. Page 2, line 25.  
**Strike:** "but not to exceed \$1,500"

2. Page 2, line 27.  
**Strike:** "but may not exceed \$2,500"

And, as amended, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**Senate bills** passed and transmitted to the House for concurrence:

2/16/2015

**SB 37**, introduced by Fielder  
**SB 145**, introduced by Hamlett  
**SB 213**, introduced by Thomas  
**SB 226**, introduced by Webb  
**SB 240**, introduced by Buttrey  
**SB 241**, introduced by Webb  
**SB 244**, introduced by D. Brown  
**SB 249**, introduced by Cohenour  
**SB 255**, introduced by T. Brown

HOUSE JOURNAL  
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 18, 2015

**MESSAGES FROM THE GOVERNOR**

February 17, 2015

The Honorable Austin Knudsen  
Speaker of the House  
State Capitol  
Helena, Montana 59620

Dear Speaker Knudsen:

Please be informed that I have signed **House Bill 56** sponsored by Representative White, **House Bill 64** sponsored by Representative Webber, **House Bill 65** sponsored by Representative Funk, **House Bill 66** sponsored by Representative Hertz, **House Bill 75** sponsored by Representative Hess, **House Bill 79** sponsored by Representative Lynch, **House Bill 81** sponsored by Representative Lynch, **House Bill 139** sponsored by Representative McConnell, and **House Bill 143** sponsored by Representative McConnell on February 17, 2015.

Sincerely,

STEVE BULLOCK  
Governor

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 558**, introduced by N. Schwaderer, referred to Taxation.

**HB 559**, introduced by G. Kipp, J. Windy Boy, referred to Federal Relations, Energy, and Telecommunications.

**HB 560**, introduced by G. Hertz, referred to Business and Labor.

**HB 561**, introduced by D. Lamm, T. Burnett, K. Regier, referred to Judiciary.

**HB 562**, introduced by G. Meyers, S. Berglee, R. Brodehl, A. Doane, C. Fiscus, C. Glimm, B. Harris, S. Hess, D. Lamm, S. Laszloffy, T. Manzella, M. Monforton, A. Olszewski, K. Wagoner, K. White, F. Mandeville, referred to State Administration.

**HB 563**, introduced by F. Garner, referred to Appropriations.

**HB 564**, introduced by A. Person, referred to State Administration.

**HB 565**, introduced by N. Wilson, referred to Business and Labor.

**HB 566**, introduced by J. Essmann, referred to State Administration.

**HB 567**, introduced by J. Karjala, referred to State Administration.

**HB 568**, introduced by E. Lieser, Z. Brown, M. Funk, C. Larsen, E. McClafferty, C. Pope, B. Smith, referred to Business and Labor.

**HB 569**, introduced by C. Fiscus, referred to Taxation.



HOUSE JOURNAL  
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 18, 2015

**HB 570**, introduced by C. Fiscus, referred to Natural Resources.

**HB 571**, introduced by K. Williams, referred to State Administration.

**HB 572**, introduced by M. Cuffe, referred to Appropriations.

The following Senate bills were introduced, read first time, and referred to committees:

**SB 37**, introduced by J. Fielder (by request of the Water Policy Committee), referred to Natural Resources.

**SB 145**, introduced by B. Hamlett, D. Ankney, referred to Appropriations.

**SB 213**, introduced by F. Thomas, S. Laszloffy, referred to Education.

**SB 226**, introduced by R. Webb, referred to Local Government.

**SB 240**, introduced by E. Buttrey, referred to Education.

**SB 241**, introduced by R. Webb, referred to Business and Labor.

**SB 244**, introduced by D. Brown, M. Blasdel, J. Brenden, M. Cuffe, F. Garner, L. Jones, D. Kary, D. Lamm, S. Lavin, E. Lieser, D. Moore, M. Noland, A. Olszewski, K. Regier, R. Ripley, N. Schwaderer, C. Smith, G. Vance, R. Webb, J. Windy Boy, referred to Business and Labor.

**SB 249**, introduced by J. Cohenour, referred to Federal Relations, Energy, and Telecommunications.

**SB 255**, introduced by T. Brown, referred to Education.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Randall in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 74 - Senate Amendments** - Representative Lynch moved Senate amendments to **HB 74** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

HOUSE JOURNAL  
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 18, 2015

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Hayman.

Total 1

**HB 298** - Representative Harris moved **HB 298** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 42

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 330** - Representative Schwaderer moved **HB 330** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Glimm, Hagstrom, Harris, Hayman, Hertz, Hess, Hollandsworth, Holmlund, Hunter, Karjala, Kelker, Lamm, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Welborn, White, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 88

HOUSE JOURNAL  
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 18, 2015

Nays: Berry, Fitzpatrick, Garner, Greef, Hill, Jacobson, Jones, Kipp III, Lavin, Schreiner, Webber, Wilson.  
Total 12

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 333** - Representative Schwaderer moved **HB 333** do pass. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, Hagstrom, Harris, Hess, Hollandsworth, Holmlund, Lamm, Lang, Laszloffy, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Smith, Staffanson, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 50

Nays: B. Bennett, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Garner, Greef, Hayman, Hertz, Hill, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Steenberg, Swanson, Tropila, Tschida, Webber, Williams, Wilson, Woods.  
Total 50

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 371** - Majority Leader Regier moved consideration of **HB 371** be passed for the day. Motion carried.

**HB 375** - Representative Lavin moved **HB 375** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Custer, Dudik, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci,

HOUSE JOURNAL  
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 18, 2015

Richmond, Salomon, Shaw, Smith, Steenberg, Swanson, Tschida, Wagoner, Welborn, White, Williams, Wittich, Woods, Mr. Speaker.

Total 85

Nays: Berglee, Curdy, Doane, Dunwell, Fiscus, Miller, Olsen, Randall, Schreiner, Schwaderer, Staffanson, Tropila, Webber, Wilson, Zolnikov.

Total 15

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 388** - Representative Pinocci moved **HB 388** do pass. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Clark, Cuffe, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Lamm, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 46

Nays: B. Bennett, Berry, Z. Brown, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Garner, Hayman, Hill, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 53

Excused: None.

Total 0

Absent or not voting: Moore.

Total 1

**HB 414** - Representative Lang moved **HB 414** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Hunter, Jacobson, Jones, Karjala, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen,

HOUSE JOURNAL  
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 18, 2015

Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Holmlund, Kelker.

Total 2

**HB 466** - Representative Miller moved **HB 466** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 470** - Representative Clark moved **HB 470** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty,

HOUSE JOURNAL  
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 18, 2015

McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Manzella, Olsen, Wagoner, Wilson, Wittich.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HJR 12** - Representative Hertz moved **HJR 12** be adopted. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berry, B. Brown, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, White, Woods, Mr. Speaker.

Total 82

Nays: J. Bennett, Berglee, Brodehl, Burnett, Cook, Doane, Flynn, Hess, Jones, Laszloffy, Redfield, Wagoner, Welborn, Williams, Wilson, Wittich, Zolnikov.

Total 17

Excused: None.

Total 0

Absent or not voting: Cuffe.

Total 1

**HJR 15** - Representative Tropila moved **HJR 15** be adopted. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald,

HOUSE JOURNAL  
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 18, 2015

Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 90

Nays: B. Brown, Burnett, Glimm, Hess, Lamm, Manzella, Pinocci, Tschida, Wittich.

Total 9

Excused: None.

Total 0

Absent or not voting: Jones.

Total 1

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Randall moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Custer, Doane, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Williams, Wittich, Zolnikov, Mr. Speaker.

Total 93

Nays: Curdy, Dudik, Hunter, Wilson, Woods.

Total 5

Excused: None.

Total 0

Absent or not voting: Kipp III, Tropila.

Total 2

HOUSE JOURNAL  
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 18, 2015

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 296** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 95

Nays: B. Brown, Lamm, Wittich, Zolnikov.

Total 4

Excused: None.

Total 0

Absent or not voting: Kipp III.

Total 1

**HB 345** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: McClafferty, Schreiner, Shaw.

Total 3



HOUSE JOURNAL  
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 18, 2015

Excused: None.

Total 0

Absent or not voting: Kipp III.

Total 1

**HB 350** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Harris.

Total 1

Excused: None.

Total 0

Absent or not voting: Kipp III.

Total 1

**HB 353** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Court, Cuffe, Curdy, Doane, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jones, Lamm, Lang, Laszloffy, Lavin, Lieser, Mandeville, Manzella, McCarthy, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Peppers, Perry, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 82

Nays: B. Bennett, Z. Brown, Cook, Custer, Dudik, Hayman, Jacobson, Karjala, Kelker, Lynch, MacDonald, McClafferty, Pease-Lopez, Person, Schreiner, Tropila, Wilson.

Total 17

HOUSE JOURNAL  
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 18, 2015

Excused: None.

Total 0

Absent or not voting: Kipp III.

Total 1

**HJR 11** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Peppers, Perry, Person, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Swanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 71

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Karjala, Kelker, Lieser, MacDonald, McCarthy, McConnell, Olsen, Pease-Lopez, Pope, Price, Steenberg, Tropila, Webber, Williams, Wilson, Woods.

Total 28

Excused: None.

Total 0

Absent or not voting: Kipp III.

Total 1

**SB 1** concurred in as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Funk, Greef, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lang, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Moore, Noland, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Richmond, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Mr. Speaker.

Total 58

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Fitzpatrick, Flynn, Garner, Glimm, Hagstrom, Harris, Hertz, Hess, Lamm, Laszloffy, Lavin, Mandeville, Manzella, Meyers, Miller, Monforton, Mortensen, Olszewski, Osmundson, Pinocci, Randall, Regier, Ricci, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov.

Total 41

HOUSE JOURNAL  
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 18, 2015

Excused: None.

Total 0

Absent or not voting: Kipp III.

Total 1

**SB 63** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Wittich.

Total 1

Excused: None.

Total 0

Absent or not voting: Kipp III.

Total 1

**SB 64** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond,

Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 91

HOUSE JOURNAL  
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 18, 2015

Nays: Brodehl, Fitzpatrick, Hagstrom, McKamey, Meyers, Olszewski, Wittich, Zolnikov.  
Total 8

Excused: None.  
Total 0

Absent or not voting: Kipp III.  
Total 1

**SB 72** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Hunter, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McCarthy, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 61

Nays: B. Bennett, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Jacobson, Karjala, Kelker, Lieser, Lynch, MacDonald, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 38

Excused: None.  
Total 0

Absent or not voting: Kipp III.  
Total 1

**SB 76** concurred in as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Lang, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 60

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Jones,

HOUSE JOURNAL  
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 18, 2015

Lamm, Laszloffy, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Pinocci, Randall, Schwaderer, Staffanson, Tschida, Wagoner, Wittich, Zolnikov.  
Total 39

Excused: None.  
Total 0

Absent or not voting: Kipp III.  
Total 1

**SB 135** concurred in as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 95

Nays: Ballance, Glimm, Manzella, Tschida.  
Total 4

Excused: None.  
Total 0

Absent or not voting: Kipp III.  
Total 1

**SB 139** concurred in as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 86

HOUSE JOURNAL  
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 18, 2015

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Cuffe, Flynn, Glimm, Lamm, Manzella, Richmond, Schwaderer, Tschida, White.  
Total 13

Excused: None.  
Total 0

Absent or not voting: Kipp III.  
Total 1

**MOTIONS**

Majority Leader Regier moved **HB 330** be moved from the Committee of the Whole to the Appropriations Committee.

Representative Schwaderer moved to reconsider action on **HB 333** and that **HB 333** be placed on second reading on Wednesday, February 18, 2015.

Motion **passed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 52

Nays: B. Bennett, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Greef, Hayman, Hill, Holmlund, Hunter, Jacobson, Karjala, Kelker, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 47

Excused: None.  
Total 0

Absent or not voting: Kipp III.  
Total 1

HOUSE JOURNAL  
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 18, 2015

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Thursday, February 19, 2015. Motion carried.

House adjourned at 3:11 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
THIRTY-EIGHTH LEGISLATIVE DAY**

Helena, Montana  
February 19, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Fiscus. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Noland, excused. Quorum present.

**BILLS** (Welborn, Chair): 2/19/2015

Correctly printed: **HB 200, HB 252, HB 434, HB 542, HB 546, HB 550, HJR 16, HR 2, SB 110, SB 114, SB 128.**

Correctly engrossed: **HB 89, HB 191, HB 318, HB 374, HB 377, HB 381, HB 386, HB 402, HB 413, HB 451, HB 483, HB 499, HB 501, HB 538.**

Correctly enrolled: **HB 27, HB 74.**

Transmitted to the Senate: **HB 296, HB 345, HB 350, HB 353, HJR 11, SB 1, SB 63, SB 64, SB 72, SB 76, SB 135, SB 139.**

**REPORTS OF STANDING COMMITTEES**

**APPROPRIATIONS** (Ballance, Chair): 2/18/2015  
**HB 89**, introduced bill, be amended as follows:

Title, page 1, line 11 & 12

**Strike:** "MAKING" on line 11 through "PERMANENT" on line 12

**Insert:** "EXTENDING THE TERMINATION DATE OF"

1. Title, page 1, line 14.

**Strike:** the second "REPEALING"

**Insert:** "AMENDING"

2. Page 25, line 7.

**Insert:** "Section 27. Section 14, Chapter 374, Laws of 2009, is amended to read:

**"Section 14. Termination.** [This act] terminates June 30, ~~2015~~ 2021."

**Renumber:** subsequent sections

3. Page 25, line 15.

**Strike:** section 28 in its entirety

**Renumber:** subsequent sections

And, as amended, do pass. Report adopted.



HOUSE JOURNAL  
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 19, 2015

**HB 191**, introduced bill, be amended as follows:

1. Title, page 1, line 5 through line 7.

**Strike:** "REQUIRING THAT" through "PROGRAM;"

2. Page 2, line 18 through line 19.

**Following:** "injury" on line 18

**Strike:** "from" through "source" on line 19

3. Page 2, line 21 through line 23.

**Strike:** "and the state" on line 21 through "mental illness" on line 23

4. Page 2, line 25.

**Following:** "board"

**Strike:** "and the state protection and advocacy program"

5. Page 2, line 28.

**Strike:** "from an unknown source"

6. Page 3, line 6.

**Following:** "board"

**Strike:** "and the state protection and advocacy program"

And, as amended, do pass. Report adopted.

**HB 200**, do pass. Report adopted.

**APPROPRIATIONS** (Ballance, Chair):

2/18/2015

**HB 402**, introduced bill, be amended as follows:

1. Title, page 1, line 9.

**Following:** "REVENUE"

**Insert:** "TO THE OIL AND GAS IMPACT ACCOUNT"

**Strike:** "INCREASING" on page 1, line 9 through "GOVERNMENTS;" on page 1, line 10

2. Page 1, line 29

**Following:** "district,"

**Insert:** "an authority as defined in 75-6-304,"

3. Page 7, line 3.

**Strike:** "50%"

**Insert:** "25%"

HOUSE JOURNAL  
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 19, 2015

4. Page 7, line 6.

**Strike:** "2022"

**Insert:** "2021"

5. Page 9, line 11.

**Strike:** "2022"

**Insert:** "2021"

And, as amended, do pass. Report adopted.

**BUSINESS AND LABOR** (Berry, Chair):

2/13/2015

**HB 413**, do pass. Report adopted.

**BUSINESS AND LABOR** (Berry, Chair):

2/19/2015

**HB 499**, do pass. Report adopted.

**HB 538**, introduced bill, be amended as follows:

1. Title, page 1, line 4.

**Strike:** "BE SUBJECT TO"

**Insert:** "OBTAIN"

2. Title, page 1, line 5.

**Strike:** "LAWS OF"

**Insert:** "COVERAGE FROM"

**Strike:** "THEIR"

**Insert:** "ITS"

3. Page 1, line 11 through line 21.

**Strike:** section 1 in its entirety

**Insert:** "NEW SECTION. Section 1. Employer option for extraterritorial coverage. (1)

Notwithstanding 39-71-118(8)(a), an employee of an employer in this state who is employed by the employer to work solely in another state, and who is required by the laws of that state to be covered for workers' compensation purposes while working in that state, is not considered to be an employee in this state covered under Title 39, chapter 71, during any time that the employer maintains workers' compensation coverage for the employee in the other state.

(2) A plan No. 1, 2, or 3 insurer providing coverage to the employer under this chapter may require proof of coverage in the other state and records of work in the other state.

(3) This section does not apply to an employee whose usual workday begins in this state and who is covered under 39-71-407(4)(a)."

And, as amended, do pass. Report adopted.

**HB 542**, do pass. Report adopted.

**HB 546**, do pass. Report adopted.

**HB 550**, do pass. Report adopted.

HOUSE JOURNAL  
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 19, 2015

**EDUCATION** (Laszloffy, Chair):

2/18/2015

**HB 374**, introduced bill, be amended as follows:

1. Title, page 1, line 6.

**Strike:** "FOR RENEWAL" through "20-4-108, MCA"

2. Page 2, line 2.

**Following:** "training"

**Insert:** "provided by a professional development entity approved by the superintendent of public instruction"

3. Page 2, line 9 through line 21.

**Strike:** section 3 in its entirety

**Renumber:** subsequent sections

And, as amended, do pass. Report adopted.

**HB 377**, introduced bill, be amended as follows:

1. Title, page 1, line 17.

**Strike:** "TO NOT ADOPT"

**Insert:** "NOT TO ADHERE TO"

2. Page 3, line 16.

**Strike:** "16"

**Insert:** "15"

3. Page 5, line 8.

**Strike:** "adopt"

**Insert:** "adhere to"

4. Page 5, line 9 through line 10.

**Strike:** "A district's" on line 9 through "standards." on line 10

And, as amended, do pass. Report adopted.

**HB 451**, do pass. Report adopted.

**HB 501**, do pass. Report adopted.

**SB 128**, be concurred in. Report adopted.

**FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS** (Lang, Chair): 2/18/2015

**HB 252**, do pass. Report adopted.

**SB 114**, be concurred in. Report adopted.

HOUSE JOURNAL  
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 19, 2015

**HUMAN SERVICES** (Wittich, Chair):  
**HB 318**, introduced bill, be amended as follows:

2/18/2015

1. Page 1, line 18.

**Following:** "(b)"

**Insert:** "medically necessary"

And, as amended, do pass. Report adopted.

**NATURAL RESOURCES** (White, Chair):  
**HB 386**, do pass. Report adopted.  
**HB 434**, introduced bill, be amended as follows:

2/18/2015

1. Title, page 1, line 6.

**Following:** "QUALITY;"

**Insert:** "AMENDING SECTION 75-2-502, MCA;"

2. Title, page 1, line 7.

**Strike:** "AND A TERMINATION DATE"

3. Page 2, line 12.

**Strike:** "3"

**Insert:** "10"

4. Page 2, line 15.

**Following:** line 14

**Insert:** "**Section 3.** Section 75-2-502, MCA, is amended to read:

"**75-2-502. Definitions.** As used in this part, unless the context requires otherwise, the following definitions apply:

(1) "Accreditation" means a certificate issued by the department that permits a person to work in an asbestos-related occupation.

(2) "Asbestos" means asbestiform varieties of chrysotile, amosite, crocidolite, anthophyllite, tremolite, or actinolite.

(3) "Asbestos project" means the encapsulation, enclosure, removal, repair, renovation, placement in new construction, demolition of asbestos in a building or other structure, or the transportation or disposal of asbestos-containing waste. The term does not include a project that involves less than 3 10 square feet in surface area or 3 linear feet of pipe.

(4) "Asbestos-related occupation" means an inspector, management planner, project designer, contractor, supervisor, or worker for an asbestos project.

(5) "Department" means the department of environmental quality provided for in 2-15-3501.

(6) "Person" means an individual, partnership, corporation, sole proprietorship, firm, enterprise, franchise, association, state or municipal agency, political subdivision of the state, or any other entity."

"

**Renumber:** subsequent sections

HOUSE JOURNAL  
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 19, 2015

5. Page 2, line 16.

**Strike:** "[Sections 1 and 2] are"

**Insert:** "[Section 2] is"

6. Page 2, line 17 through line 18.

**Strike:** "[sections" on line 17 through "1 and 2]" on line 18

**Insert:** "[section 2]"

7. Page 2, line 22.

**Strike:** section 5 in its entirety

And, as amended, do pass. Report adopted.

**HR 2**, be adopted. Report adopted.

**STATE ADMINISTRATION** (Essmann, Chair):

2/19/2015

**HB 381**, do pass. Report adopted.

**HB 483**, introduced bill, be amended as follows:

1. Title, page 1, line 6.

**Strike:** "AN"

**Insert:** "A DELAYED"

2. Page 1, line 14.

**Strike:** "\$200"

**Insert:** "\$175"

3. Page 1, line 30.

**Strike:** "July 1, 2015"

**Insert:** "January 1, 2016"

And, as amended, do pass. Report adopted.

**TRANSPORTATION** (Lavin, Chair):

2/18/2015

**HJR 16**, be adopted. Report adopted.

**SB 110**, be concurred in. Report adopted.

**MESSAGES FROM THE SENATE**

**House bills** concurred in and returned to the House:

2/17/2015

**HB 38**, introduced by Schreiner

**HB 103**, introduced by Z. Brown

**HB 128**, introduced by Hill

HOUSE JOURNAL  
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 19, 2015

**HB 195**, introduced by McConnell

**HB 248**, introduced by Holmlund

**House amendments to Senate bill** concurred in:

2/17/2015

**SB 29**, introduced by T. Brown

**Senate bills** passed and transmitted to the House for concurrence:

2/17/2015

**SB 57**, introduced by Vincent

**SB 170**, introduced by Dick Barrett

**SB 190**, introduced by Phillips

**SB 196**, introduced by Caferro

**MESSAGES FROM THE GOVERNOR**

February 18, 2015

The Honorable Austin Knudsen  
Speaker of the House  
State Capitol  
Helena, Montana 59620

Dear Speaker Knudsen:

Please be informed that I have signed **House Bill 32** sponsored by Representative Wagoner, **House Bill 41** sponsored by Representative Hunter, **House Bill 52** sponsored by Representative Dunwell, **House Bill 57** sponsored by Representative Funk, **House Bill 67** sponsored by Representative B. Smith, **House Bill 91** sponsored by Representative Clark, **House Bill 105** sponsored by Representative Woods, **House Bill 108** sponsored by Representative Salomon, **House Bill 109** sponsored by Representative Salomon, **House Bill 110** sponsored by Representative Holmlund, **House Bill 112** sponsored by Representative Regier, **House Bill 122** sponsored by Representative Randall, **House Bill 136** sponsored by Representative Eck, and **House Bill 184** sponsored by Representative Hertz on February 18, 2015.

Sincerely,

STEVE BULLOCK  
Governor

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 573**, introduced by S. Lavin, referred to Transportation.

HOUSE JOURNAL  
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 19, 2015

**HB 574**, introduced by J. Essmann, referred to State Administration.

**HB 575**, introduced by T. Burnett, referred to State Administration.

**HB 576**, introduced by A. Wittich, referred to Human Services.

**HB 577**, introduced by K. Holmlund, C. Larsen, D. Mortensen, M. Noland, K. White, referred to Business and Labor.

**HB 578**, introduced by M. Lang, J. Brenden, A. Knudsen, referred to State Administration.

The following Senate bills were introduced, read first time, and referred to committees:

**SB 57**, introduced by C. Vincent (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.

**SB 170**, introduced by Dick Barrett, referred to Taxation.

**SB 190**, introduced by M. Phillips, B. Keenan, J. Sesso, referred to Taxation.

**SB 196**, introduced by M. Caferro, C. Larsen, referred to Business and Labor.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Woods in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 333** - Representative Schwaderer moved **HB 333** do pass. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 50

Nays: B. Bennett, Berry, Z. Brown, Clark, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Garner, Hayman, Hill, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 50

Excused: None.

Total 0

HOUSE JOURNAL  
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 19, 2015

Absent or not voting: None.

Total 0

**HB 334** - Representative Cook moved **HB 334** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 80

Nays: J. Bennett, Berglee, Brodehl, B. Brown, Doane, Essmann, Glimm, Hess, Lamm, Manzella, McKamey, Miller, Monforton, Mortensen, Randall, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 20

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 366** - Representative Custer moved **HB 366** do pass. Motion carried as follows:

Yeas: B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 81

Nays: Ballance, J. Bennett, B. Brown, Burnett, Cuffe, Ehli, Essmann, Glimm, Hess, Jones, Manzella, McKamey, Monforton, Moore, Salomon, Tschida, Wagoner, White, Wittich.

Total 19

Excused: None.

Total 0



HOUSE JOURNAL  
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 19, 2015

Absent or not voting: None.

Total 0

**HB 382** - Representative Dunwell moved **HB 382** do pass. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berry, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Ricci, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 74

Nays: Ballance, Berglee, Brodehl, B. Brown, Cuffe, Garner, Glimm, Harris, Lamm, Laszloffy, Lavin, Manzella, Miller, Monforton, Mortensen, Osmundson, Pinocci, Randall, Regier, Richmond, Staffanson, Tschida, Welborn, White, Zolnikov.

Total 25

Excused: None.

Total 0

Absent or not voting: Schwaderer.

Total 1

**HB 412** - Representative Zolnikov moved **HB 412** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Greef, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 86

Nays: J. Bennett, Brodehl, Burnett, Fitzpatrick, Glimm, Hagstrom, Hess, Laszloffy, Manzella, Olszewski, Redfield, Ricci, Tschida, Wagoner.

Total 14

Excused: None.

Total 0

HOUSE JOURNAL  
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 19, 2015

Absent or not voting: None.

Total 0

**HB 436** - Representative Dudik moved **HB 436** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 447** - Representative Wagoner moved **HB 447** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Doane, Dunwell, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jones, Kelker, Lamm, Lang, Laszloffy, Lieser, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Pierson, Pinocci, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 78

Nays: Custer, Dudik, Eck, Fitzpatrick, Hayman, Hunter, Jacobson, Karjala, Kipp III, Lavin, MacDonald, McClafferty, Mehlhoff, Noonan, Pease-Lopez, Peppers, Perry, Person, Pope, Tropila, Williams, Wilson.

Total 22

Excused: None.

Total 0

HOUSE JOURNAL  
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 19, 2015

Absent or not voting: None.

Total 0

**HB 448** - Representative Wagoner moved **HB 448** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dunwell, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jones, Kelker, Lamm, Lang, Laszloffy, Lieser, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Peppers, Pinocci, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Tschida, Wagoner, Webber, Welborn, White, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 78

Nays: Dudik, Eck, Fitzpatrick, Hayman, Hunter, Jacobson, Karjala, Kipp III, Lavin, MacDonald, McClafferty, Mehlhoff, Noonan, Pease-Lopez, Perry, Person, Pierson, Pope, Swanson, Tropila, Williams, Wilson.

Total 22

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 449** - Representative Wagoner moved **HB 449** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Court, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Z. Brown, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 40

Excused: None.

Total 0

HOUSE JOURNAL  
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 19, 2015

Absent or not voting: None.

Total 0

**HB 461** - Representative Lavin moved **HB 461** do pass. Motion carried as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 82

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Cuffe, Doane, Flynn, Glimm, Hess, Jones, Manzella, Monforton, Mortensen, Tschida, Wagoner, White, Wittich.

Total 18

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 503** - Representative Berry moved **HB 503** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Mr. Speaker.

Total 55

Nays: B. Bennett, Z. Brown, Burnett, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Zolnikov.

Total 45

Excused: None.

Total 0

HOUSE JOURNAL  
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 19, 2015

Absent or not voting: None.

Total 0

**HB 522** - Representative Berry moved **HB 522** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Cuffe, Wagoner.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 537** - Representative Berry moved **HB 537** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

HOUSE JOURNAL  
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 19, 2015

Absent or not voting: None.

Total 0

**HJR 4** - Representative Monforton moved **HJR 4** be adopted. Motion **failed** as follows:

Yeas: J. Bennett, Berglee, Cook, Fiscus, Glimm, Hagstrom, Hertz, Hess, Lang, Laszloffy, Lavin, Meyers, Monforton, Mortensen, Noland, Olszewski, Regier, Ricci, Tschida, Wagoner, White, Wittich, Mr. Speaker.

Total 23

Nays: Ballance, B. Bennett, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Greef, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Moore, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Zolnikov.

Total 77

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Woods moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hess, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 91

Nays: Cook, Fitzpatrick, Hertz, Hill, Monforton, Schwaderer.

Total 6

Excused: Noland.

Total 1

HOUSE JOURNAL  
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 19, 2015

Absent or not voting: Essmann, Lang.

Total 2

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 74** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 96

Nays: Wagoner, Wittich, Zolnikov.

Total 3

Excused: Noland.

Total 1

Absent or not voting: None.

Total 0

**HB 298** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 56

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy,

HOUSE JOURNAL  
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 19, 2015

McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 43

Excused: Noland.

Total 1

Absent or not voting: None.

Total 0

**HB 375** passed as follows:

Yeas: Ballance, B. Bennett, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Custer, Dudik, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Mortensen, Noonan, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tschida, Wagoner, Welborn, White, Williams, Wittich, Woods, Mr. Speaker.

Total 83

Nays: J. Bennett, Berglee, Curdy, Doane, Dunwell, Miller, Monforton, Olsen, Peppers, Randall, Schreiner, Staffanson, Tropila, Webber, Wilson, Zolnikov.

Total 16

Excused: Noland.

Total 1

Absent or not voting: None.

Total 0

**HB 414** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price,



HOUSE JOURNAL  
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 19, 2015

Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: Noland.

Total 1

Absent or not voting: None.

Total 0

**HB 466** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: Noland.

Total 1

Absent or not voting: None.

Total 0

**HB 470** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olszewski,

HOUSE JOURNAL  
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 19, 2015

Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: B. Brown, Monforton, Olsen, Wagoner, Wilson, Wittich.

Total 6

Excused: Noland.

Total 1

Absent or not voting: None.

Total 0

**HJR 12** adopted as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Jacobson, Karjala, Kelker, Lamm, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Woods, Mr. Speaker.

Total 82

Nays: J. Bennett, Brodehl, Burnett, Cook, Doane, Flynn, Glimm, Hess, Hunter, Jones, Kipp III, Laszloffy, Redfield, Wagoner, Wilson, Wittich, Zolnikov.

Total 17

Excused: Noland.

Total 1

Absent or not voting: None.

Total 0

**HJR 15** adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers,

HOUSE JOURNAL  
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 19, 2015

Miller, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 92

Nays: B. Brown, Burnett, Glimm, Hess, Manzella, Pinocci, Wittich.  
Total 7

Excused: Noland.  
Total 1

Absent or not voting: None.  
Total 0

**MOTIONS**

Majority Leader Regier moved **HB 561** be moved from the Judiciary Committee to the State Administration Committee.

Representative Pinocci moved to reconsider action on **HB 388** and that **HB 388** be placed on second reading on Friday, February 20, 2015.

Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Doane, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 49

Nays: B. Bennett, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Funk, Garner, Greef, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 50

Excused: Noland.  
Total 1

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 19, 2015

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Friday, February 20, 2015. Motion carried.

House adjourned at 2:41 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
THIRTY-NINTH LEGISLATIVE DAY**

Helena, Montana  
February 20, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Noland. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

Representative Tschida rose on a **Point of Personal Privilege**. He stated that in testimony he had said that the Office of Public Instruction had a budget of 2 billion and he has learned that the actual budget is 11.3 million dollars and he apologized for the confusion.

**BILLS** (Welborn, Chair):

2/20/2015

Correctly printed: **HB 227, HB 290, HB 395, HB 439, HB 441, HB 450, HB 453, HB 477, HB 482, HB 516, HB 518, HB 565, HJR 14, SB 140.**

Correctly engrossed: **HB 164, HB 196, HB 281, HB 306, HB 320, HB 378, HB 410, HB 434, HB 460, HB 463, HB 474, HB 504, HB 506, HB 523, HB 548, HB 554, HB 557, HB 568.**

Transmitted to the Senate: **HB 298, HB 375, HB 414, HB 466, HB 470, HJR 12, HJR 15.**

Signed by the Speaker at 5:15 p.m., February 20, 2015: **HB 38, HB 103, HB 128, HB 195, HB 248.**

Signed by the Chief Clerk of the House at 5:30 p.m., February 20, 2015: **HB 38, HB 103, HB 128, HB 195, HB 248.**

**REPORTS OF STANDING COMMITTEES**

**AGRICULTURE** (Redfield, Chair):

2/19/2015

**HB 378**, introduced bill, be amended as follows:

1. Page 1, line 27.

**Strike:** "shall"

**Insert:** "may"

2. Page 1, line 28.

**Strike:** "\$1,500"

**Insert:** "\$500"

And, as amended, do pass. Report adopted.

**HB 439**, do pass. Report adopted.

**HB 453**, do pass. Report adopted.

HOUSE JOURNAL  
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 20, 2015

**HB 557**, introduced bill, be amended as follows:

1. Page 2, line 6.

**Strike:** "44"

**Insert:** "42"

And, as amended, do pass. Report adopted.

**APPROPRIATIONS** (Ballance, Chair):

2/19/2015

**HB 196**, introduced bill, be amended as follows:

1. Page 2, line 21.

**Strike:** "NO LESS THAN A"

**Insert:** "limited to a maximum"

2. Page 2, line 23.

**Following:** "BIENNIUM"

**Insert:** "through the biennium ending June 30, 2021"

And, as amended, do pass. Report adopted.

**HB 290**, do pass. Report adopted.

**SB 140**, be concurred in. Report adopted.

**BUSINESS AND LABOR** (Berry, Chair):

2/18/2015

**HB 506**, introduced bill, be amended as follows:

1. Page 1, line 29.

**Following:** "distillery"

**Insert:** "for any product delivered to an agency liquor store:  
(i)"

**Following:** "rate"

**Insert:** ","

**Following:** "and"

**Insert:** "(ii)"

2. Page 1, line 30.

**Strike:** "for any product" through "liquor store"

3. Page 2, line 4.

**Strike:** "1(3)(c)"

**Insert:** "1(3)(c)(i)"

And, as amended, do pass. Report adopted.

HOUSE JOURNAL  
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 20, 2015

**BUSINESS AND LABOR** (Berry, Chair):  
**HB 306**, introduced bill, be amended as follows:

2/20/2015

1. Page 1.

**Following:** line 23

**Insert:** "(c) An individual may not receive more than 14 weeks of unemployment benefits for the 12-month period after filing a claim under the provisions of this section. The provisions of this section do not affect the rights of an individual to receive unemployment insurance benefits that the individual is entitled to under other provisions of state law."

And, as amended, do pass. Report adopted.

**HB 554**, introduced bill, be amended as follows:

1. Page 1, line 26.

**Strike:** "chapter"

**Insert:** "section"

2. Page 2.

**Following:** line 1

**Insert:** "(5) The requirements of subsections (1) and (2) do not apply to a direct selling association member."

3. Page 4, line 20.

**Following:** "~~(a)~~"

**Insert:** "(a)"

4. Page 4.

**Following:** line 25

**Insert:** "(b) Compensation does not include:

(i) payments to a participant based on the sale of goods or services by the participant to third persons when the goods or services are purchased for actual use or consumption; or

(ii) payments to a participant based on the sale of goods or services to the participant that are used or consumed by the participant."

5. Page 4, line 29.

**Strike:** "."

6. Page 4, line 30.

**Strike:** line 30

**Insert:** "used in making sales and that are not for resale; or"

HOUSE JOURNAL  
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 20, 2015

7. Page 5, line 1.

**Strike:** line 1

And, as amended, do pass. Report adopted.

**HB 565**, do pass. Report adopted.

**HB 568**, do pass. Report adopted.

**FISH, WILDLIFE AND PARKS** (Flynn, Chair):

2/19/2015

**HB 450**, do pass. Report adopted.

**JUDICIARY** (Bennett, Chair):

2/19/2015

**HB 320**, introduced bill, be amended as follows:

1. Page 1, line 29.

**Strike:** "for a period of time set"

**Following:** "trustees"

**Insert:** "for a period of up to 1 year"

2. Page 3, line 10.

**Strike:** "9201"

**Insert:** "921"

3. Page 3, line 16.

**Strike:** "school as defined in 20-6-501"

**Insert:** "K-12 public school"

And, as amended, do pass. Report adopted.

**HB 410**, introduced bill, be amended as follows:

1. Title, page 1, line 4.

**Strike:** "OLDER"

**Insert:** "INCAPACITATED"

2. Title, page 1, line 7.

**Strike:** "OLDER"

**Insert:** "INCAPACITATED"

3. Title, page 1, line 8.

**Following:** "DISABILITIES"

**Insert:** "; CREATING THE OFFENSE OF EXPLOITATION OF AN INCAPACITATED PERSON OR DEVELOPMENTALLY DISABLED PERSON; PROVIDING PENALTIES; AND AMENDING SECTION 52-3-825, MCA"



HOUSE JOURNAL  
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 20, 2015

4. Page 1, line 12.

**Strike:** "older"

**Insert:** "incapacitated"

5. Page 1, line 15.

**Strike:** "older"

**Insert:** "incapacitated"

6. Page 1, line 18.

**Strike:** "older" on line 17

**Insert:** "incapacitated"

**Strike:** "52-3-825"

**Insert:** "[section 2]"

7. Page 1, line 19.

**Strike:** "older"

**Insert:** "incapacitated"

8. Page 1, line 20.

**Strike:** "52-3-825"

**Insert:** "[section 2]"

9. Page 1, line 23.

**Strike:** "older"

**Insert:** "incapacitated"

10. Page 3, line 5.

**Strike:** "'older person'"

**Insert:** "'incapacitated person'"

**Strike:** "52-3-803"

**Insert:** "72-5-101"

11. Page 3, line 6.

**Following:** line 6

**"NEW SECTION. Section 2. Exploitation of incapacitated person or person with developmental disability.** (1) A person commits the offense of exploitation of an incapacitated person or a person with a development disability if the person:

(a) purposely or knowingly obtains or uses or attempts to obtain or use an incapacitated person's or developmentally disabled person's funds, assets, or property with the intent to temporarily or permanently deprive the incapacitated person or developmentally disabled person of the use, benefit, or possession of funds, assets, or property or to benefit someone other than the incapacitated person or developmentally disabled person; and

(b)(i) stands in a position of trust or confidence with the incapacitated person or developmentally disabled person; or

(ii) has a business relationship with the incapacitated person or developmentally disabled

HOUSE JOURNAL  
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 20, 2015

person.

(2) A person commits the offense of exploitation of an incapacitated person or a person with a developmental disability if the person:

(a) purposely or knowingly obtains personal identifying information of another person and uses that information for any unlawful purpose, including to obtain or attempt to obtain credit, goods, services, financial information, or medical information in the name of the other person without the consent of the other person; and

(b)(i) stands in a position of trust or confidence with the incapacitated person or developmentally disabled person; or

(ii) has a business relationship with the incapacitated person or developmentally disabled person.

(3) A person convicted of the offense of exploitation of an incapacitated person or a person with a developmental disability shall be fined an amount not to exceed \$10,000 or be imprisoned in a state prison for a term not to exceed 10 years, or both.

(4) As used in this section:

(a) "developmental disability" has the meaning provided in 53-20-102; and

(b) "incapacitated person" has the meaning provided in 72-5-101.

**Insert: "Section 3.** Section 52-3-825, MCA, is amended to read:

**"52-3-825. Penalties.** (1) A person who purposely or knowingly fails to make a report required by 52-3-811 or discloses or fails to disclose the contents of a case record or report in violation of 52-3-813 is guilty of an offense and upon conviction is punishable as provided in 46-18-212.

(2) (a) A person who purposely or knowingly abuses, sexually abuses, or neglects an older person or a person with a developmental disability is guilty of a felony and shall be imprisoned for a term not to exceed 10 years and be fined an amount not to exceed \$10,000, or both.

(b) (i) A person who negligently abuses an older person or a person with a developmental disability is guilty of a misdemeanor and upon a first conviction shall be fined an amount not to exceed \$1,000 or be imprisoned in the county jail for a term not to exceed 1 year, or both.

(ii) Upon a second or subsequent conviction of the conduct described in subsection (2)(b)(i), the person is guilty of a felony and shall be imprisoned for a term not to exceed 10 years and be fined an amount not to exceed \$10,000, or both.

(c) A person with a developmental disability may not be charged under subsection (2)(a) or (2)(b).

(3) (a) A person convicted of purposely or knowingly exploiting an older person ~~or a person with a developmental disability~~ in a case involving money, assets, or property in an amount of \$1,000 or less in value shall be fined an amount not more than \$1,000 or be imprisoned in the county jail for a term not to exceed 1 year, or both. A person convicted of purposely or knowingly exploiting an older person ~~or a person with a developmental disability~~ in a case involving money, assets, or property in an amount of more than \$1,000 but less than \$25,000 in value shall be fined an amount not more than \$50,000 or be imprisoned in a state prison for a term not to exceed 10 years, or both. A person convicted of purposely or knowingly exploiting an older person ~~or a person with a developmental disability~~ in a case involving money, assets, or property in an amount of \$25,000 or more in value shall be fined an amount not more than \$50,000 or be imprisoned in a state prison for a term of not less than 1 year and not more than 10 years, or both.

(b) For purposes of prosecution under subsection (3)(a) in a case involving the same

HOUSE JOURNAL  
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 20, 2015

transaction or in a case prosecuted pursuant to a common scheme, the amounts may be aggregated in determining the value involved."

"

**Renumber:** subsequent sections

12. Page 3, line 8.

**Following:** "instruction."

**Insert:** "(1)"

13. Page 3, line 9.

**Following:** line 9

**Insert:** "(2) [Section 2] is intended to be codified as an integral part of Title 45, chapter 6, part 3, and the provisions of Title 45, chapter 6, part 3, apply to [section 2]."

And, as amended, do pass. Report adopted.

**JUDICIARY** (Bennett, Chair):

2/20/2015

**HB 227**, do pass. Report adopted.

**HB 281**, introduced bill, be amended as follows:

1. Title, page 1, line 9.

**Strike:** "87-6-102,"

2. Page 1, line 25.

**Following:** "search,"

**Strike:** "without"

**Insert:** "only with"

3. Page 1, line 29.

**Following:** second "only"

**Strike:** "when accompanied by"

**Insert:** "upon notification to"

4. Page 2, line 22.

**Strike:** "Except for the authority granted in subsection (1)(b), a"

**Insert:** "A"

5. Page 2, line 30 through page 3, line 3.

**Strike:** section 3 in its entirety

**Renumber:** subsequent sections

6. Page 3, line 15 through line 16.

**Following:** "," on line 15

**Insert:** ","

**Strike:** "and" on line 15

HOUSE JOURNAL  
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 20, 2015

**Following:** "~~negligently~~" on line 16

**Insert:** ", or negligently"

7. Page 6, line 18.

**Following:** ";

**Insert:** ", "

**Strike:** "and"

**Following:** "~~negligently~~"

**Insert:** ", or negligently"

8. Page 9, line 14.

**Strike:** "purposely and knowingly"

**Insert:** "negligently"

9. Page 11, line 26.

**Following:** ";

**Strike:** "and"

**Insert:** ", "

**Following:** "~~negligently~~"

**Insert:** ", or negligently"

10. Page 14, line 21.

**Strike:** "[Sections 4 and 5]"

**Insert:** "[Sections 3 and 4]"

11. Page 14, line 22 through line 23.

**Strike:** "[sections 4 and 5]"

**Insert:** "[sections 3 and 4]"

And, as amended, do pass. Report adopted.

**HB 463**, introduced bill, be amended as follows:

1. Page 2, line 4.

**Following:** "(b)"

**Strike:** "instruct the clerk of the district court of the county in which the seizure occurred to"

2. Page 3, line 13.

**Following:** "(1),"

**Strike:** "the clerk of the district court of the county in which the seizure occurred"

**Insert:** "a peace officer or an officer of the agency that seized the property"

And, as amended, do pass. Report adopted.

HOUSE JOURNAL  
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 20, 2015

**HB 474**, do pass. Report adopted.  
**HB 477**, do pass. Report adopted.  
**HB 482**, do pass. Report adopted.  
**HB 516**, do pass. Report adopted.  
**HB 518**, do pass. Report adopted.

**LOCAL GOVERNMENT** (Greef, Chair):  
**HB 164**, introduced bill, be amended as follows:

2/19/2015

1. Title, page 1, line 5.

**Strike:** "A"

**Following:** "SURPLUS"

**Insert:** "FUNDS"

2. Page 1, line 18.

**Following:** "indenture"

**Insert:** "that is the subject of the sale"

3. Page 1, line 21.

**Following:** "surplus"

**Insert:** "funds"

4. Page 1, line 22.

**Following:** "surplus"

**Insert:** "funds"

5. Page 1, line 23.

**Following:** "surplus"

**Insert:** "funds"

6. Page 1, line 25.

**Following:** "deposit of the surplus"

**Insert:** "funds"

7. Page 1, line 25.

**Following:** "for the surplus"

**Insert:** "funds"

8. Page 1, line 26.

**Following:** "surplus"

**Insert:** "funds"

9. Page 2, line 2 through 3.

**Strike:** subsection (b) in its entirety

**Insert:** "(b) A party with an interest, lien, or claim that was junior to the interest that was the

HOUSE JOURNAL  
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 20, 2015

subject of the sale has an interest in the surplus funds in the same order of priority that existed in the property at the time of the sale."

10. Page 2, line 4.

**Strike:** "of the motion"

11. Page 2, line 5.

**Following:** "surplus"

**Insert:** "funds"

And, as amended, do pass. Report adopted.

**HB 395**, do pass. Report adopted.

**HB 441**, do pass. Report adopted.

**HB 504**, introduced bill, be amended as follows:

1. Title, line 8.

**Following:** "INDEBTEDNESS;"

**Insert:** "CLARIFYING MILL LEVY AUTHORITY;"

**Strike:** "AND"

2. Title, line 9.

**Following:** "MCA"

**Insert:** "; AND PROVIDING AN EFFECTIVE DATE"

3. Page 2, line 11.

**Following:** "(6)"

**Insert:** "(a)"

**Strike:** "The"

**Insert:** "Subject to the provisions of subsections (6)(b) and (6)(c), the"

4. Page 2.

**Following:** line 13

**Insert:** "(b) The mill levy authority under 15-10-420 for each former rural fire district that is consolidated under this section must be aggregated to establish the base mill levy authority for the new district in the year following consolidation.

(c) If the electors of a former rural fire district have approved mill levy authority for the district in excess of the limit established in 15-10-420 pursuant to an election held under 15-10-425, the authority applies to the new district under the limitations established by the electors."

5. Page 3.

**Following:** line 16

**Insert:** "NEW SECTION. Section 3. Effective date. [This act] is effective July 1, 2015."

And, as amended, do pass. Report adopted.

HOUSE JOURNAL  
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 20, 2015

**HB 523**, do pass. Report adopted.

**HB 548**, introduced bill, be amended as follows:

1. Title, page 1, line 4.

**Strike:** "DIVISIONS"

**Insert:** "PARCELS"

2. Title, page 1, line 5 through line 8.

**Strike:** "CREATED" through "2003," on line 5

**Strike:** "THE OWNER" on line 6 through "PARCEL" on line 8

**Insert:** "THE PARCEL OR THE REMAINING TRACT OF LAND WAS CONVEYED TO ANOTHER PARTY WITHOUT FORECLOSURE BEFORE OCTOBER 1, 2003"

3. Page 2, line 11 through 17.

**Strike:** subsection (4) in its entirety

**Insert:** "(4) If a parcel of land created to provide security for mortgages, liens, or trust indentures pursuant to subsection (1)(b) or the remaining tract of land was conveyed by the landowner to another party without foreclosure before October 1, 2003, the conveyance of the other is not subject to the requirements of this chapter. "

And, as amended, do pass. Report adopted.

**STATE ADMINISTRATION** (Essmann, Chair):

2/20/2015

**HB 460**, introduced bill, be amended as follows:

1. Title, page 1, line 4.

**Following:** "THE"

**Insert:** "MONTANA"

2. Title, page 1, line 5.

**Strike:** "THE"

**Insert:** "A"

3. Page 1, line 9.

**Following:** "The"

**Insert:** "Montana"

**Strike:** ", located"

4. Page 1, line 11.

**Following:** "identify the"

**Insert:** "Montana"

5. Page 1, line 12.

**Following:** "Great Falls"

**Insert:** ", Montana,"

HOUSE JOURNAL  
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 20, 2015

6. Page 1, line 13.

**Strike:** "located"

And, as amended, do pass. Report adopted.

**HJR 14**, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**House bill** concurred in and returned to the House: 2/18/2015

**HB 27**, introduced by Hayman

**Senate bills** passed and transmitted to the House for concurrence: 2/18/2015

**SB 34**, introduced by Facey

**SB 68**, introduced by Caferro

**SB 92**, introduced by Thomas

**SB 169**, introduced by Hamlett

**SB 276**, introduced by Webb

**SB 277**, introduced by Webb

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 579**, introduced by N. Wilson, referred to Taxation.

**HB 580**, introduced by B. Bennett, J. Essmann, referred to State Administration.

**HB 581**, introduced by S. Lavin, referred to Judiciary.

**HB 582**, introduced by A. Wittich, referred to Human Services.

**HB 583**, introduced by R. Pinocci, S. Berglee, B. Brown, C. Fiscus, C. Glimm, D. Lamm, T. Manzella, M. Monforton, D. Mortensen, K. Regier, B. Tschida, K. White, referred to Judiciary.

**HB 584**, introduced by R. Pinocci, S. Berglee, C. Clark, C. Fiscus, T. Manzella, M. Monforton, D. Mortensen, K. Regier, referred to Judiciary.

**HB 585**, introduced by G. Kipp, referred to Judiciary.

**HB 586**, introduced by W. Curdy, referred to Judiciary.

**HB 587**, introduced by K. Regier, referred to Judiciary.

The following Senate bills were introduced, read first time, and referred to committees:

**SB 34**, introduced by T. Facey (by request of the Department of Natural Resources and Conservation and the Office of Budget and Program Planning), referred to Natural Resources.

**SB 68**, introduced by M. Caferro (by request of the Department of Justice), referred to Appropriations.



HOUSE JOURNAL  
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 20, 2015

**SB 92**, introduced by F. Thomas (by request of the Revenue and Transportation Interim Committee), referred to Taxation.

**SB 169**, introduced by B. Hamlett, referred to State Administration.

**SB 276**, introduced by R. Webb, B. Harris, D. Howard, D. Kary, N. Swandal, referred to Human Services.

**SB 277**, introduced by R. Webb, J. Hinkle, D. Howard, D. Kary, C. Smith, N. Swandal, referred to Human Services.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Mandeville in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 369** - Representative Fiscus moved **HB 369** do pass.

**HB 369** - Representative Monforton moved **HB 369**, second reading copy, be amended as follows:

1. Page 2, line 5 through line 6.

**Strike:** "IF A COURT" on line 5 through "VEXATIOUS"

**Insert:** "if an attorney multiplies the proceedings in any case unreasonably and vexatiously"

Amendment adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Kipp III, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McCarthy, McClafferty, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olsen, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, White, Williams, Wittich, Zolnikov, Mr. Speaker.

Total 62

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Lieser, Lynch, MacDonald, McConnell, Mehlhoff, Noonan, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Wilson, Woods.

Total 37

HOUSE JOURNAL  
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 20, 2015

Excused: None.

Total 0

Absent or not voting: Olszewski.

Total 1

**HB 369** - Representative Fiscus moved **HB 369**, as amended, do pass. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Essmann, Fiscus, Flynn, Garner, Glimm, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lang, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 45

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fitzpatrick, Funk, Greef, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 55

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 371** - Representative White moved **HB 371** do pass.

**HB 371** - Representative White moved **HB 371**, second reading copy, be amended as follows:

1. Title, page 1, line 9 through line 11.

**Following:** "SALE"

**Strike:** remainder of line 9 through "ARREST" on line 11

2. Page 2, line 3 through line 4.

**Strike:** subsection (3) in its entirety

3. Page 2, line 14 through line 15.

**Strike:** ":", through "weapon," on line 15

HOUSE JOURNAL  
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 20, 2015

4. Page 2, line 16.

**Strike:** ","

**Insert:** ", "

5. Page 2, line 17.

**Strike:** "(ii)"

Amendment adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 61

Nays: B. Bennett, Court, Curdy, Dudik, Dunwell, Eck, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 39

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 371** - Representative White moved **HB 371**, as amended, do pass. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 50

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Flynn, Funk, Hayman, Hill, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen,

HOUSE JOURNAL  
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 20, 2015

Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 50

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 374** - Representative McClafferty moved **HB 374** do pass. Motion carried as follows:

Yeas: B. Bennett, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 76

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, Burnett, Doane, Ehli, Harris, Hess, Jones, Lamm, Laszloffy, Manzella, Mortensen, Randall, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 24

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 381** - Representative Burnett moved **HB 381** do pass.

**HB 381** - Representative Burnett moved **HB 381**, second reading copy, be amended as follows:

1. Page 4.

**Following:** line 15

**Insert:** "(9) If a report with the information required pursuant to subsection (3)(c) and (3)(d) is posted on a website for the office of budget and program planning and contains live links to a federal web page containing the information required under subsections (3)(c) and (3)(d), then the requirements of subsections (3)(c) and (3)(d) are fulfilled.

Amendment adopted as follows:

HOUSE JOURNAL  
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 20, 2015

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 57

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 42

Excused: None.

Total 0

Absent or not voting: Essmann.

Total 1

**HB 381** - Representative Burnett moved **HB 381**, as amended, do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 56

Nays: B. Bennett, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 44

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 20, 2015

**HB 386** - Representative Z. Brown moved **HB 386** do pass.

**HB 386** - Representative Shaw moved **HB 386**, second reading copy, be amended as follows:

1. Page 1, line 16.

**Strike:** "(4)"

**Insert:** "(5)"

2. Page 1.

**Following:** line 17

**Insert:** "(2) The terms of the sale or exchange must require the public entity to comply with the noxious weed management program of the weed management district in which the land is located."

**Renumber:** subsequent subsections

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 87

Nays: J. Bennett, Brodehl, Burnett, Cuffe, Ehli, Fiscus, Glimm, Hess, Laszloffy, Monforton, Tschida, Wagoner, White.

Total 13

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 386** - Representative Z. Brown moved **HB 386**, as amended, do pass. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Cuffe, Custer, Dunwell, Eck, Essmann, Fitzpatrick, Flynn, Garner, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore,

HOUSE JOURNAL  
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 20, 2015

Mortensen, Noland, Noonan, Pease-Lopez, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Steenberg, Webber, Welborn, White, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 62

Nays: Ballance, Berglee, B. Brown, Court, Curdy, Doane, Dudik, Ehli, Ellis, Fiscus, Funk, Glimm, Harris, Hess, Holmlund, Jones, Kipp III, Lamm, Laszloffy, Manzella, Miller, Monforton, Olsen, Olszewski, Osmundson, Peppers, Perry, Pinocci, Randall, Redfield, Regier, Ricci, Smith, Swanson, Tropila, Tschida, Wagoner, Wilson.

Total 38

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 424** - Representative Monforton moved **HB 424** do pass. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 48

Nays: B. Bennett, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 52

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 434** - Majority Leader Regier moved consideration of **HB 434** be passed for the day. Motion carried.

HOUSE JOURNAL  
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 20, 2015

**HB 451** - Representative Pope moved **HB 451** do pass. Motion **failed** as follows:

Yeas: B. Bennett, Z. Brown, Cook, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 49

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Court, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 51

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Mandeville moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Mandeville, Manzella, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Peppers, Perry, Person, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Swanson, Tropila, Tschida, Wagoner, Welborn, White, Wilson, Wittich, Zolnikov, Mr. Speaker.

Total 78

Nays: B. Bennett, Z. Brown, Dunwell, Eck, Funk, Hill, Karjala, Lynch, MacDonald, McCarthy, McClafferty, Noonan, Olsen, Pease-Lopez, Pope, Price, Schreiner, Smith, Steenberg, Webber, Williams, Woods.

Total 22

Excused: None.

Total 0



HOUSE JOURNAL  
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 20, 2015

Absent or not voting: None.

Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 200** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 55

Nays: B. Bennett, Z. Brown, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hess, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 45

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 334** passed as follows:

Yeas: Ballance, B. Bennett, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 78

HOUSE JOURNAL  
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 20, 2015

Nays: J. Bennett, Berglee, Brodehl, B. Brown, Doane, Essmann, Flynn, Glimm, Hess, Lamm, Laszloffy, Manzella, Meyers, Monforton, Noland, Pinocci, Randall, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 22

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 366** passed as follows:

Yeas: B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 82

Nays: Ballance, J. Bennett, B. Brown, Burnett, Ehli, Essmann, Glimm, Hess, Jones, Laszloffy, Manzella, McKamey, Monforton, Noland, Salomon, Tschida, White, Wittich.

Total 18

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 382** passed as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Monforton, Moore, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Ricci, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 73

HOUSE JOURNAL  
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 20, 2015

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Cuffe, Flynn, Garner, Glimm, Hess, Lamm, Laszloffy, Lavin, Manzella, McKamey, Miller, Mortensen, Noland, Osmundson, Pinocci, Randall, Regier, Richmond, Schwaderer, Tschida, Welborn, White, Zolnikov.

Total 27

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 412** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 83

Nays: J. Bennett, Berry, Brodehl, Burnett, Fitzpatrick, Glimm, Hess, Laszloffy, Manzella, McKamey, Noland, Olszewski, Redfield, Shaw, Tschida, Wagoner, Welborn.

Total 17

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 436** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson,

HOUSE JOURNAL  
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 20, 2015

Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 447** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Doane, Dunwell, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jones, Kelker, Lamm, Lang, Laszloffy, Lieser, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Pierson, Pinocci, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Swanson, Tschida, Wagoner, Webber, White, Wittich, Zolnikov, Mr. Speaker.  
Total 75

Nays: Court, Custer, Dudik, Eck, Fitzpatrick, Hayman, Hunter, Jacobson, Karjala, Kipp III, Lavin, MacDonald, McClafferty, Noonan, Pease-Lopez, Peppers, Perry, Person, Pope, Steenberg, Tropila, Welborn, Williams, Wilson, Woods.  
Total 25

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 448** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Custer, Doane, Dunwell, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jones, Kelker, Lamm, Lang, Laszloffy, Lieser, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Peppers, Pinocci, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon,

HOUSE JOURNAL  
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 20, 2015

Schreiner, Schwaderer, Shaw, Smith, Staffanson, Tschida, Wagoner, Webber, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 76

Nays: Curdy, Dudik, Eck, Fitzpatrick, Hayman, Hunter, Jacobson, Karjala, Kipp III, Lavin, MacDonald, McClafferty, Noonan, Pease-Lopez, Perry, Person, Pierson, Pope, Steenberg, Swanson, Tropila, Williams, Wilson, Woods.

Total 24

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 449** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Court, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Z. Brown, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 40

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 461** passed as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers,

HOUSE JOURNAL  
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 20, 2015

Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 79

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Doane, Flynn, Glimm, Hertz, Hess, Jones, Lamm, Laszloffy, Manzella, McKamey, Meyers, Monforton, Noland, Tschida, Wagoner, Wittich.

Total 21

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 503** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Peppers, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Mr. Speaker.

Total 59

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Zolnikov.

Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 522** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm,

HOUSE JOURNAL  
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 20, 2015

Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 537** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 99

Nays: Wittich.  
Total 1

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**MOTIONS**

Majority Leader Regier moved **HB 381** be moved from the Committee of the Whole to the Appropriations Committee.

## UNFINISHED BUSINESS

Mr. Speaker, I move that the following undersigned names be **ADDED** as sponsors to **HB 478** Motion carried.

**HB 478** (K. Williams, Chief Sponsor)

Cook, Curdy, Hertz, Lang, MacDonald, McKamey, Olsen, Olszewski, Redfield, and Salomon, D. Brown, T. Brown, Hamlett, and Hoven.

## SPECIAL ORDERS OF THE DAY

Mr. Speaker introduced and welcomed Jordynn Hardman, Montana's representative of the Children's Miracle Network hospitals and our ambassador for the 18 million children treated each year. The Children's Miracle Network includes Montana's Shodair Hospital located in Helena, Montana, where Jordynn was a patient.

Representative Wagoner read the following proclamation from the House and Senate:

### A JOINT PROCLAMATION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA RECOGNIZING SHODAIR CHILDREN'S HOSPITAL 2015 CHAMPION CHILD JORDYNN HARDMAN

Commending and recognizing Jordynn Hardman, a seventeen-year-old Helena girl who has been treated at Shodair Children's Hospital for a rare genetic disease; and whose spirit, maturity, and good humor has sustained her and her family through significant health challenges.

WHEREAS, Shodair Children's Hospital belongs to the Children's Miracle Network (CMN) Hospitals, an alliance of 170 hospitals across the United States and Canada, who treat 18 million children each year; and

WHEREAS, the Children's Miracle Network Champion Child Program spotlights the courageous battles of children like Jordynn with severe medical challenges; and

WHEREAS, for their courage, tenacity, and perseverance, CMN Champion Children are selected to serve as ambassadors to raise awareness and educate the public about their medical issues and why community support is so vital to their well-being; and

WHEREAS, Jordynn has been named Shodair Children's Hospital 2015 Champion Child and represents all Montana children facing severe medical challenges; and

WHEREAS, Jordynn has Tuberous Sclerosis Complex (TSC), a rare genetic disease that can lead to the growth of noncancerous tumors throughout the body, including the brain, kidneys, heart, and lungs; and



WHEREAS, Jordynn is dedicated to raising public awareness about her medical condition and that of all Montana children with various illnesses and medical needs; and

WHEREAS, Jordynn has a genetic condition that can be progressive and life-threatening, yet she faces her diagnosis with remarkable grace and determination.

NOW, THEREFORE, BE IT PROCLAIMED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA'S 64th LEGISLATURE:

That the members of this body honor Jordynn Hardman for her grace and determination in the face of significant medical challenges, and convey to her their sincere wishes for safe travel and memorable experiences during her year as Montana's Champion Child.

### **ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 8:00 a.m., Saturday, February 21, 2015. Motion carried.

House adjourned at 3:18 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
FORTIETH LEGISLATIVE DAY**

Helena, Montana  
February 21, 2015

House Chambers  
State Capitol

House convened at 8 a.m. Mr. Speaker presiding. Invocation by Representative Hagstrom. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

**BILLS** (Welborn, Chair):

2/21/2015

Correctly printed: **HB 322, HB 337, HB 394, HB 425, HB 513, HB 535, HB 536, HB 544, HB 573.**  
Correctly engrossed: **HB 237, HB 284, HB 422, HB 455, HB 457, HB 472, HB 478, HB 519,**  
**HB 525, HB 553, HB 555.**

Transmitted to the Senate: **HB 200, HB 334, HB 366, HB 382, HB 412, HB 436, HB 447, HB 448,**  
**HB 449, HB 461, HB 503, HB 522, HB 537.**

Signed by the Speaker at 9:30 a.m., February 23, 2015: **HB 74.**

Signed by the Chief Clerk of the House at 9:45 a.m., February 23, 2015: **HB 74.**

Signed by the President at 7:30 a.m., February 21, 2015: **HB 38, HB 103, HB 128, HB 195,**  
**HB 248.**

Delivered to the Governor for approval at 8:25 a.m., February 21, 2015: **HB 38, HB 103, HB 128,**  
**HB 195, HB 248.**

**REPORTS OF STANDING COMMITTEES**

**AGRICULTURE** (Redfield, Chair):

2/19/2015

**HB 478**, introduced bill, be amended as follows:

1. Title, page 1, line 11.

**Following:** "SECTIONS"

**Insert:** "30-12-301,"

2. Page 2, line 11.

**Strike:** "registered area of a"

3. Page 3, line 10.

**Following:** line 9

**Insert:** "(7) A tribal government may pursue an agreement with the department pursuant to the authority provided in 50-1-106 to coordinate the registration of cottage food operations subject to tribal regulations. The agreement must include an appeals process if the registration is not approved.

(8) If there is not a cooperative agreement pursuant to subsection (7), a person in charge of a cottage food operation may register with the department."

HOUSE JOURNAL  
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

4. Page 4, line 14.

**Following:** line 13

**Insert:** "**Section 5.** Section 30-12-301, MCA, is amended to read:

**"30-12-301. Method of sale of commodities -- general.** (1) Commodities in liquid form ~~shall~~ may be sold only by liquid measure or by weight, and, except as otherwise provided in parts 1 through 5, commodities not in liquid form ~~shall~~ may be sold only by weight, by measure of length or area, or by count. Liquid commodities may be sold by weight and commodities not in liquid form may be sold by count only if those methods give accurate information as to the quantity of commodity sold. This section does not apply to:

- (a) commodities when sold for immediate consumption on the premises where sold;
- (b) vegetables when sold by the head or bunch;
- (c) commodities in containers standardized by a law of this state or by federal law;
- (d) commodities in package form when there exists a general consumer usage to express the quantity in some other manner;
- (e) concrete aggregates, concrete mixtures, and loose solid materials such as earth, soil, gravel, crushed stone, and the like, when sold by cubic measure; ~~or~~
- (f) unprocessed vegetable and animal fertilizer when sold by cubic measure; or
- (g) cottage food products as defined in 50-50-102.

(2) The department may adopt reasonable rules necessary to ~~assure~~ ensure that amounts of commodity sold are determined in accordance with good commercial practice and are ~~so~~ determined and represented as to be accurate and informative to all parties at interest.""

**Renumber:** subsequent sections

5. Page 11, line 2.

**Following:** "kitchen"

**Strike:** "of that person's primary"

**Insert:** "in a registered area of a"

6. Page 11, line 5 through line 6.

**Strike:** "that do not" on line 5 through "safety" on line 6

7. Page 13, line 1.

**Strike:** "or acidity"

8. Page 15, line 9.

**Strike:** "(20)(c)(xiii)"

**Insert:** "(21)(c)(xiii)"

9. Page 17, line 18.

**Strike:** "in a cottage food operation"

**Insert:** "served to the public"

10. Page 18, line 26.

**Following:** line 25

HOUSE JOURNAL  
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

**Insert:** "(5) A tribal government may pursue an agreement with the department pursuant to the authority provided in 50-1-106 to coordinate the licensing of a mobile retail food establishment subject to tribal regulations. The agreement must include an appeals process if the license is not validated.

(6) If there is not a cooperative agreement pursuant to subsection (5), the department may issue a license to a person operating a mobile retail food establishment."

11. Page 19, line 4 through line 5.

**Strike:** subsection (2) in its entirety

**Insert:** "(2) A person who exchanges foods in a nonmonetary transaction is exempt from permitting, licensure, and registration."

12. Page 22, line 19.

**Following:** "received."

**Insert:** "This subsection does not prohibit the cancellation of a permit in the event of an immediate threat to the public health. The permitholder retains the right of appeal."

13. Page 24, line 18.

**Following:** "licensed"

**Insert:** "or permitted"

And, as amended, do pass. Report adopted.

**APPROPRIATIONS** (Ballance, Chair):

2/20/2015

**HB 322**, do pass. Report adopted.

**HB 337**, do pass. Report adopted.

**BUSINESS AND LABOR** (Berry, Chair):

2/18/2015

**HB 536**, do pass. Report adopted.

**EDUCATION** (Laszloffy, Chair):

2/20/2015

**HB 284**, introduced bill, be amended as follows:

1. Title, page 1, line 6.

**Strike:** "OR NONPUBLIC ACCREDITED SCHOOL"

2. Title, page 1, line 7.

**Strike:** "AND"

**Following:** "POLICY"

**Insert:** "; AND PROVIDING FOR ENFORCEMENT AGAINST A VIOLATION IN DISTRICT COURT"

HOUSE JOURNAL  
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

3. Page 1, line 11.

**Strike:** "4"

**Insert:** "5"

4. Page 1, line 16.

**Following:** "student"

**Insert:** "or employee"

5. Page 1, line 16 through line 17.

**Following:** "that is"

**Strike:** "repeated" on page 16 through "time" on line 17

**Insert:** "persistent, severe, or repeated"

6. Page 1, line 18.

**Following:** "causes a"

**Strike:** "student"

**Insert:** "person"

**Following:** "damages a"

**Strike:** "student's"

**Insert:** "person's"

**Following:** "places a"

**Strike:** "student"

**Insert:** "person"

7. Page 1, line 19.

**Strike:** "student"

**Insert:** "person"

**Strike:** "student's"

**Insert:** "person's"

8. Page 1, line 21.

**Following:** "benefit;"

**Strike:** "or"

9. Page 1, line 22.

**Following:** "school"

**Insert:** "; or

(d) with respect to an employee in relation to a student or another employee, causes a student or employee to believe that the exercise of the student's or employee's first amendment rights under the United States constitution is being unreasonably suppressed"

10. Page 1, line 27.

**Following:** "public K-12"

**Strike:** "or PK-12" through "accredited"

HOUSE JOURNAL  
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

11. Page 2, line 9.

**Following:** "school policy" on line 9

**Strike:** "and"

**Insert:** ", "

12. Page 2, line 10.

**Following:** "agreements"

**Insert:** ", and any other sanction authorized by law"

13. Page 2, line 12 through line 13.

**Strike:** "or nonpublic" on line 12 through "shall" on line 13

**Insert:** "must"

14. Page 2, line 14.

**Strike:** "or nonpublic accredited school"

15. Page 2, line 15 through page 3, line 3.

**Strike:** ", but each" on page 2, line 15 through "20-7-102" on page 3, line 3

16. Page 3, line 4.

**Insert:**        "NEW SECTION. **Section 5. Enforcement -- exhaustion of administrative remedies not required.** A person alleging a violation of [sections 1 through 5] may bring an action in district court to enjoin another person from continuing to engage in the violation or for doing any act that contributes to the violation. The person alleging a violation is not required to exhaust any administrative remedies prior to bringing the action."

**Renumber:** subsequent sections

17. Page 3, line 5.

**Following:** "through"

**Strike:** "4"

**Insert:** "5"

18. Page 5, line 6.

**Following:** "through"

**Strike:** "4"

**Insert:** "5"

And, as amended, do pass. Report adopted.

**HUMAN SERVICES** (Wittich, Chair):

2/20/2015

**HB 237**, introduced bill, be amended as follows:

1. Title, page 1, line 6.

**Following:** "SAMPLING"

**Insert:** "EXCEPT FOR HIGH-RISK PROVIDERS"

HOUSE JOURNAL  
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

2. Page 2, line 18.

**Strike:** "including"

**Insert:** "such as"

3. Page 2, line 27.

**Strike:** "lesser"

**Insert:** "greater"

4. Page 3, line 20.

**Following:** "prohibited"

**Insert:** "-- exceptions"

5. Page 3, line 20 through line 23.

**Strike:** "The" on line 20 through "claim." on line 23

**Insert:** "(1) Except as provided in subsection (2):

(a) in an overpayment audit the department or an auditor may not use statistical sampling extrapolation for automated reviews and may not rely on extrapolation to determine or support the amount of an overpayment determination; and

(b) an overpayment determination must be based on and supported by evidence of an overpayment for each claim.

(2) In an overpayment audit of a high-risk provider, the department or an auditor may use statistical sampling extrapolation for an automated review or may rely on extrapolation to determine or support the amount of an overpayment determination.

(3) The department or an auditor may use data analysis techniques to identify claims that are most likely to contain overpayments for purposes of selecting providers or claims for overpayment audits.

(4) For the purposes of this section, the following definitions apply:

(a) "Automated review" means a claim review made at the system level without a human being reviewing the medical record.

(b) "Extrapolation" means the determination of an unknown value by projecting the results of a review of a sample to the universe from which the sample was drawn.

(c) "High-risk provider" means a provider who within the previous 3 years:

(i) has either admitted to medicaid fraud or abuse in a written agreement with a governmental agency or has been determined by a final order of judgment of a governmental agency or court to have committed medicaid fraud or abuse; or

(ii) has a documented history of a high medicaid claim error rate that has been sustained over a substantial period of time and that documented educational interventions have failed to correct.

(5) The department shall specify by rule the percentage medicaid error rate, the period of time over which the error rate must be sustained, and the nature and frequency of unsuccessful educational interventions provided that will result in the designation of a provider as a high-risk provider within the meaning of subsection (4)."

6. Page 4, line 2.

**Strike:** "only"

HOUSE JOURNAL  
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

7. Page 6, line 9.

**Following:** "provided"

**Insert:** ", and the amount may not be considered an overpayment"

8. Page 7, line 5.

**Strike:** "unreasonable, frivolous, or without merit"

**Insert:** "frivolous or lacking a reasonable basis"

9. Page 9, line 11.

**Following:** "auditor"

**Insert:** ": (a)"

10. Page 9, line 12.

**Strike:** "in Montana"

11. Page 9, line 13.

**Following:** "audit"

**Insert:** "; or (b) who is an expert in the medical, dental, or other health care provider decisionmaking that is at issue in the overpayment audit"

And, as amended, do pass. Report adopted.

**HB 422**, introduced bill, be amended as follows:

1. Title, page 1, line 5.

**Strike:** "CREATING A TASK FORCE ON"

**Insert:** "REQUIRING AN INTERIM STUDY OF"

2. Title, page 1, line 6.

**Strike:** "ESTABLISHING THE DUTIES OF THE TASK FORCE;"

3. Title, page 1, line 9.

**Following:** "REIMBURSEMENT;"

**Insert:** "PROVIDING AN APPROPRIATION;"

4. Page 1, line 21.

**Strike:** "the task force"

**Insert:** "an interim study"

5. Page 1, line 24.

**Strike:** "5"

**Insert:** "3"



HOUSE JOURNAL  
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

6. Page 2, line 19.

**Strike:** "5"

**Insert:** "3"

7. Page 3, line 4 through page 4, line 9.

**Strike:** section 3 in its entirety

**Renumber:** subsequent sections

8. Page 4, line 11.

**Strike:** "Duties of task force"

**Insert:** "Interim study on improved youth outcomes -- study activities"

**Following:** "(1) The"

**Strike:** "task force for improved youth outcomes"

**Insert:** "children, families, health, and human services interim committee"

9. Page 4, line 14 through line 17.

**Strike:** subsection (2) in its entirety

**Renumber:** subsequent subsections

10. Page 4, line 18 through line 19.

**Strike:** "task" on line 18 through "force" on line 19

**Insert:** "committee"

11. Page 4.

**Following:** line 29

**Insert:** "(3) The committee shall solicit information, research, and recommendations from interested parties, including but not limited to the department of public health and human services, providers of children's mental health services, the mental health program of the western interstate commission on higher education, organizations representing the interests of children with mental health disorders, and family members of children with mental health disorders."

12. Page 4, line 30.

**Strike:** "task force"

**Insert:** "committee"

**Strike:** "conduct at least one meeting with"

**Insert:** "hold at least one meeting outside of Helena during the interim to meet with"

13. Page 5, line 4.

**Strike:** "task force"

**Insert:** "committee"

14. Page 5, line 6.

**Strike:** "5"

**Insert:** "3"

HOUSE JOURNAL  
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

15. Page 5, line 11.

**Following:** "(d)"

**Insert:** "research, recommendations, and other"

**Strike:** "task force"

**Insert:** "committee"

16. Page 5, line 12.

**Strike:** "task force"

**Insert:** "committee"

17. Page 5, line 13.

**Following:** "[section 2(3)]"

**Insert:** "including proposed legislation that contains an evidence-based outcomes model and identifies other elements of a pilot project, including performance-based reimbursement options, to be implemented on July 1, 2017"

18. Page 5, line 15 through line 29.

**Strike:** section 5 in its entirety

**Renumber:** subsequent sections

19. Page 6, line 1.

**Strike:** "5"

**Insert:** "3"

20. Page 6, line 2.

**Strike:** "5"

**Insert:** "3"

21. Page 6.

**Following:** line 2

**Insert:** "NEW SECTION. Section 5. Appropriation. There is appropriated \$5,000 from the general fund to the legislative services division for the biennium beginning July 1, 2015, to carry out the interim study provided for in [section 3]."

And, as amended, do pass. Report adopted.

**HB 455**, introduced bill, be amended as follows:

1. Page 1, line 20.

**Strike:** "."

HOUSE JOURNAL  
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

2. Page 1, line 21 through line 22.

**Strike:** "(i)" on line 21

**Strike:** "; or" on line 21 through "service" on line 22

And, as amended, do pass. Report adopted.

**HB 472**, introduced bill, be amended as follows:

1. Title, page 1, line 8.

**Strike:** "IMMUNITY"

**Insert:** "PRIVILEGE"

**Following:** the second ";"

**Insert:** "TRANSFERRING APPROPRIATION AUTHORITY;"

2. Page 1, line 21.

**Following:** "department"

**Insert:** "and with appropriate county attorneys in cases under review"

3. Page 2, line 22.

**Following:** "attorney general"

**Insert:** "and the children, families, health, and human services interim committee"

4. Page 2, line 25 through line 26.

**Strike:** "may" on line 25 through "not to" on line 26

**Insert:** "shall"

**Strike:** "because"

**Insert:** "unless"

5. Page 2, line 30.

**Following:** "request;"

**Insert:** "or"

6. Page 3, line 1.

**Following:** "investigated"

**Strike:** ";

**Insert:** "by the ombudsman."

7. Page 3, line 2 through line 3.

**Strike:** subsection (f) through subsection (g) in their entirety

8. Page 3, line 10 through line 13.

**Strike:** "Immunity -- privileges"

**Insert:** "Privilege"

**Strike:** remainder of line 10 through line 13

HOUSE JOURNAL  
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

9. Page 3, line 14.

**Strike:** "(3)"

**Following:** "may"

**Strike:** "be"

**Following:** "not"

**Insert:** "be"

10. Page 3, line 26

**Strike:** subsection (a) in its entirety

**Insert:** "(a) any criminal act concerning the abuse or neglect of a child;"

11. Page 8, line 13 through line 15.

**Strike:** section 11 in its entirety

**Insert:** "COORDINATION SECTION. Section 11. Coordination instruction. (1) If both House Bill No. 2 and [this act] are passed and approved and House Bill No. 2 contains a general fund appropriation that would allow the department of justice to increase the staff of the office of the child and family ombudsman, then the appropriation in House Bill No. 2 must be reduced by \$85,741 in each year of the biennium and \$85,741 in general fund must be transferred in each year of the biennium from the department of public health and human services to the department of justice to increase the staff of the ombudsman office.

(2) If both House Bill No. 2 and [this act] are passed and approved and House Bill No. 2 does not contain an appropriation to increase the staff of the office of the child and family ombudsman, then \$85,741 in general fund must be transferred from the department of public health and human services to the department of justice in each year of the biennium to increase the staff for the office."

And, as amended, do pass. Report adopted.

**HB 513**, do pass. Report adopted.

**HB 544**, do pass. Report adopted.

**JUDICIARY** (Bennett, Chair):

2/17/2015

**HB 425**, do pass. Report adopted.

**JUDICIARY** (Bennett, Chair):

2/19/2015

**HB 457**, do pass. Report adopted.

**HB 535**, do pass. Report adopted.

**LOCAL GOVERNMENT** (Greef, Chair):

2/19/2015

**HB 555**, do pass. Report adopted.

HOUSE JOURNAL  
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

**NATURAL RESOURCES** (White, Chair):

2/20/2015

**HB 519**, introduced bill, be amended as follows:

1. Title, page 1, line 7.

**Following:** "WATER;"

**Insert:** "PROVIDING ENFORCEMENT MEASURES FOR VIOLATIONS OF LAWS RELATED TO EXEMPT APPROPRIATIONS OF WATER;"

2. Page 8, line 8.

**Following:** "zone"

**Insert:** ", is 35 gallons a minute or less,"

**Strike:** ";

3. Page 8, line 9.

**Strike:** "(A)"

**Strike:** "10"

**Insert:** "7.5"

4. Page 8, line 11.

**Strike:** "0.5"

**Insert:** "0.375"

**Strike:** "as defined in 76-4-102;"

5. Page 8.

**Strike:** line 12 in its entirety

6. Page 8, line 13.

**Following:** "as"

**Insert:** "the term is"

**Following:** "76-4-102"

**Strike:** " "

**Insert:** "; or"

7. Page 8, line 17 through line 18.

**Following:** "under"

**Strike:** remainder of line 17 through line 18 in its entirety

**Insert:** "subsection (3)(a)(iii):

(i) one or more wells or developed springs that exceed the limits provided in subsection (3)(a)(iii) require a permit;

(ii) any subsequent subdivision as defined in 76-4-102 of a subdivision lot may not receive an additional appropriation pursuant to this section;

(iii) an appropriation on a tract of record that is not part of a subdivision as defined in 76-4-102 may not exceed 7.5 acre-feet a year on any 20 acres; and

(iv) more than one appropriation may not be physically connected if the total volume will exceed 7.5 acre-feet a year.

HOUSE JOURNAL  
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

(c) For an appropriation under subsection (3)(a)(iii), 0.21 acre-foot a year for each dwelling unit is exempted from the appropriation limits in this section unless the dwelling unit is served by a public sewage system, as defined in 75-6-102, that is located outside the exterior property line of the subdivision."

**Renumber:** subsequent subsections

8. Page 8, line 29.

**Strike:** "(d)"

**Insert:** "(e)(i)"

9. Page 9.

**Following:** line 6

**Insert:** "(ii) At the request of an appropriator, the department shall reissue a certificate of water right issued pursuant to subsection (3)(e)(i) to a volume less than the volume allowed on the original certificate of water right to accommodate a future appropriation subject to subsection (3)(a)(iii).

(iii)The department shall adopt rules to address violations of conditions provided in subsection (3)(e)(i) or any appropriation exceeding the exception provided in subsection (3)(a)(iii). The rules must include but are not limited to:

(A) provisions for notice of violation;

(B) provisions and timelines for achieving compliance after a violation; and

(C) provisions for the termination of an appropriator's certificate of water right and a subsequent application process for an appropriation permit pursuant to 85-2-311 for continued use of a ground water well or developed spring. "

10. Page 9, line 7.

**Strike:** "To satisfy"

**Insert:** "For the purposes of satisfying"

11. Page 9, line 8.

**Strike:** "when" through "chapter 4"

12. Page 13, line 11.

**Strike:** ", assuming"

**Insert:** "if"

13. Page 13, line 12.

**Following:** "available"

**Insert:** "and other appropriators will not be adversely affected"

And, as amended, do pass. Report adopted.

HOUSE JOURNAL  
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

**HB 525**, introduced bill, be amended as follows:

1. Page 1, line 23.

**Following:** "bequests,"

**Insert:** "or"

**Following:** "donations"

**Strike:** ", or appropriations"

And, as amended, do pass. Report adopted.

**HB 553**, do pass. Report adopted.

**TRANSPORTATION** (Lavin, Chair):

2/20/2015

**HB 394**, do pass. Report adopted.

**HB 573**, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**House amendments to Senate bill** concurred in:

2/19/2015

**SB 51**, introduced by Dick Barrett

**Senate bills** passed and transmitted to the House for concurrence:

2/19/2015

**SB 48**, introduced by Vincent

**SB 136**, introduced by Hamlett

**SB 168**, introduced by Buttrey

**SB 256**, introduced by Hamlett

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 588**, introduced by R. Cook, referred to State Administration.

**HB 589**, introduced by J. Karjala, referred to Human Services.

The following Senate bills were introduced, read first time, and referred to committees:

**SB 48**, introduced by C. Vincent (by request of the Department of Justice), referred to Human Services.

**SB 136**, introduced by B. Hamlett, E. Buttrey, R. Cook, S. Fitzpatrick, B. Hoven, T. Jacobson, J. Keane, W. McKamey, R. Mehlhoff, M. Moe, J. Price, T. Richmond, R. Ripley, C. Schreiner, B. Tutvedt, C. Vincent, referred to Natural Resources.

**SB 168**, introduced by E. Buttrey, referred to State Administration.

**SB 256**, introduced by B. Hamlett, P. Connell, referred to Natural Resources.

HOUSE JOURNAL  
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Wagoner in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 164** - Representative Schwaderer moved **HB 164** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 191** - Representative Eck moved **HB 191** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson,



HOUSE JOURNAL  
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 196** - Representative Webber moved **HB 196** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Greef, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 87

Nays: J. Bennett, B. Brown, Burnett, Fiscus, Glimm, Hagstrom, Hess, Manzella, Monforton, Noland, Tschida, White, Wittich.  
Total 13

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 227** - Representative Dudik moved **HB 227** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Regier,

HOUSE JOURNAL  
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 78

Nays: J. Bennett, Berglee, B. Brown, Burnett, Doane, Flynn, Hess, Lamm, Lang, Laszloffy, Manzella, Monforton, Mortensen, Noland, Pinocci, Randall, Schwaderer, Staffanson, Tschida, White, Wittich, Zolnikov.

Total 22

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 244** - Representative Essmann moved **HB 244** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.

Total 57

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Schwaderer, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods.

Total 43

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 252** - Representative McCarthy moved **HB 252** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff,

HOUSE JOURNAL  
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: B. Brown, Burnett, Essmann, Monforton, Wittich.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 306** - Representative Eck moved **HB 306** do pass. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Ricci, Richmond, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 76

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Glimm, Holmlund, Jones, Lamm, Laszloffy, Manzella, Monforton, Mortensen, Noland, Osmundson, Pinocci, Regier, Staffanson, Tschida, White, Wittich, Zolnikov.

Total 23

Excused: None.

Total 0

Absent or not voting: Salomon.

Total 1

**HB 318** - Representative Hill moved **HB 318** do pass. Motion carried as follows:

Yeas: B. Bennett, Berglee, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff,

HOUSE JOURNAL  
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 81

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Fitzpatrick, Glimm, Jones, Lamm, Manzella, McKamey, Miller, Schwaderer, Welborn, White.

Total 18

Excused: None.

Total 0

Absent or not voting: Berry.

Total 1

**HB 377** - Representative Lamm moved **HB 377** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 55

Nays: B. Bennett, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Flynn, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 45

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 402** - Representative Knudsen moved **HB 402** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland,

HOUSE JOURNAL  
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

Olszewski, Osmundson, Peppers, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 61

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Perry, Person, Pierson, Pope, Price, Schreiner, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 39

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 439** - Representative Redfield moved **HB 439** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Kipp III.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 463** - Representative McCarthy moved **HB 463** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Flynn, Funk, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker,

HOUSE JOURNAL  
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

Kipp III, Lamm, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Ricci, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 85

Nays: Berry, Brodehl, Custer, Ehli, Fiscus, Fitzpatrick, Garner, Glimm, Hertz, Hollandsworth, Lavin, Noland, Regier, Richmond, Tschida.

Total 15

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 474** - Representative Eck moved **HB 474** do pass. Motion carried as follows:

Yeas: B. Bennett, Berglee, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Woods, Mr. Speaker.

Total 79

Nays: Ballance, J. Bennett, Berry, Brodehl, B. Brown, Burnett, Doane, Lamm, Lang, Lavin, Manzella, Noland, Osmundson, Pinocci, Regier, Ricci, Richmond, Staffanson, Welborn, Wittich, Zolnikov.

Total 21

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 483** - Representative Lieser moved **HB 483** do pass. Motion carried as follows:

Yeas: B. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm,

HOUSE JOURNAL  
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

Greef, Hagstrom, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 85

Nays: Ballance, J. Bennett, Burnett, Doane, Fitzpatrick, Hertz, Hess, Jones, Manzella, Monforton, Regier, Tschida, White, Wittich, Zolnikov.

Total 15

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 501** - Representative Lamm moved **HB 501** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 57

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 43

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 515** - Majority Leader Regier moved consideration of **HB 515** be passed for the day. Motion carried.

HOUSE JOURNAL  
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

**HB 538** - Representative Miller moved **HB 538** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 542** - Representative Hertz moved **HB 542** do pass.

**HB 542** - Representative Hertz moved **HB 542**, second reading copy, be amended as follows:

1. Page 1, line 30.  
**Strike:** "require"  
**Insert:** "encourage"

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 96



HOUSE JOURNAL  
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

Nays: Cook, Monforton, Randall, Schwaderer.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 542** - Representative Hertz moved **HB 542**, as amended, do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, White, Williams, Wilson, Woods, Mr. Speaker.

Total 88

Nays: J. Bennett, Brodehl, Burnett, Cook, Doane, Jones, Lavin, Monforton, Wagoner, Welborn, Wittich, Zolnikov.

Total 12

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 546** - Representative Schwaderer moved **HB 546** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall,

HOUSE JOURNAL  
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Zolnikov, Mr. Speaker.

Total 95

Nays: J. Bennett, Burnett, Hess, Laszloffy.

Total 4

Excused: None.

Total 0

Absent or not voting: Woods.

Total 1

**HB 550** - Representative Swanson moved **HB 550** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Regier, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 78

Nays: Berglee, B. Brown, Doane, Flynn, Hess, Lamm, Lang, Laszloffy, Manzella, Miller, Monforton, Mortensen, Olszewski, Randall, Redfield, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, Wittich, Zolnikov.

Total 22

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Wagoner moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Court, Cuffe, Custer, Doane, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller,

HOUSE JOURNAL  
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Peppers, Perry, Person, Pinocci, Pope, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 87

Nays: B. Brown, Cook, Curdy, Dudik, Funk, Karjala, Lavin, Olsen, Pease-Lopez, Pierson, Price, Williams, Wilson.

Total 13

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 290** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 57

Nays: B. Bennett, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Williams, Wilson, Woods.

Total 43

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

**HB 374** passed as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 75

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Ehli, Greef, Harris, Hess, Lamm, Laszloffy, Manzella, Mortensen, Pinocci, Randall, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 25

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 386 failed** as follows:

Yeas: B. Bennett, J. Bennett, Berry, Z. Brown, Burnett, Clark, Cook, Curdy, Eck, Fitzpatrick, Flynn, Funk, Garner, Greef, Hertz, Hess, Hollandsworth, Hunter, Karjala, Lang, Lavin, Lieser, Lynch, Mandeville, McCarthy, McConnell, Mortensen, Osmundson, Person, Pinocci, Pope, Richmond, Salomon, Schreiner, Shaw, Staffanson, Welborn, White, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 43

Nays: Ballance, Berglee, Brodehl, B. Brown, Court, Cuffe, Custer, Doane, Dudik, Dunwell, Ehli, Ellis, Essmann, Fiscus, Glimm, Hagstrom, Harris, Hayman, Hill, Holmlund, Jacobson, Jones, Kelker, Kipp III, Lamm, Laszloffy, MacDonald, Manzella, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Pierson, Price, Randall, Redfield, Regier, Ricci, Schwaderer, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Wilson.

Total 57

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

**MOTIONS**

Majority Leader Regier moved **HB 377** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **HB 463** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **HB 474** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **HB 483** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **HB 501** be moved from the Committee of the Whole to the Appropriations Committee.

Representative Karjala moved to change their vote on **HB 501** from Yes to No. Without objection, so ordered.

Representative Woods moved that **HB 189** be taken from Federal Relations, Energy, and Telecommunications and brought before the Committee of the Whole.

Motion **failed** as follows:

Yeas: B. Bennett, Z. Brown, Burnett, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Essmann, Flynn, Hayman, Hill, Hunter, Karjala, Kelker, Kipp III, Lieser, MacDonald, McCarthy, McConnell, Monforton, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pinocci, Pope, Smith, Steenberg, Tropila, Tschida, Webber, White, Williams, Wilson, Wittich, Woods, Zolnikov.  
Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Clark, Cook, Cuffe, Custer, Doane, Ehli, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Olszewski, Osmundson, Pierson, Price, Randall, Redfield, Regier, Ricci, Richmond, Solomon, Schreiner, Schwaderer, Shaw, Staffanson, Swanson, Wagoner, Welborn, Mr. Speaker.  
Total 59

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

Representative Pope moved to reconsider action on **HB 151** and that **HB 151** be placed on second reading on Monday, February 23, 2015.

Motion **passed** as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Garner, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 51

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 49

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Wittich rose on a **Point of Parliamentary Inquiry**. He stated that rules are important "they provide order and certainty. They avoid chaos, tyranny and paralysis."

He stated that he introduced HB 462, 10 days ago and it was referred to a committee. The session is in its 40th day and on Day 45 the Transmittal Deadline will have occurred. He has asked repeatedly for a hearing and there has been no hearing on the bill.

The bill concerns the right of state employees to have free association and it also takes the State out of the business of a dues collector. The rules state that normal process of a bill in Rule H40-80 Subsection III, that a bill is entitled to a hearing and action by the committee and then it moves to the Floor. Also under H30-50 Subsection III there is no choice not to hear a bill. Under Rule H70-50 the Speaker has the right to interpret rules.

One of the central tenets of the law is that one can have no right without a remedy. Representative Wittich requested that HB 462 be put on Second Reading Wednesday, February 25, the 43rd Legislative Day and bypass the Committee and be brought to the Floor for discussion.

HOUSE JOURNAL  
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

The House stood at ease while the members of Leadership and the House Rules Committee discussed the request.

The House reconvened. After learning that HB 462 would be scheduled for a hearing, Monday, February 23, the 41st Legislative Day, Representative Wittich withdrew his **Point of Parliamentary Inquiry**.

**SPECIAL ORDERS OF THE DAY**

Representative Hill thanked the pages for their service.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Monday, February 23, 2015. Motion carried.

House adjourned at 11:22 a.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
FORTY-FIRST LEGISLATIVE DAY**

Helena, Montana  
February 23, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Clark. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Hagstrom and Woods, excused. Quorum present.

**BILLS** (Welborn, Chair):

2/23/2015

Correctly printed: **HB 443, HB 446, HB 581.**

Correctly engrossed: **HB 397, HB 415, HB 444, HB 445, HB 486, HB 491, HB 505, HB 533, HB 549, HB 583, HB 584.**

Transmitted to the Senate: **HB 290, HB 374.**

Signed by the President at 10:15 a.m., February 23, 2015: **HB 74.**

Signed by the Speaker at 10:20 a.m., February 24, 2015: **HB 27.**

Signed by the Chief Clerk of the House at 11:20 a.m., February 24, 2015: **HB 27.**

Delivered to the Governor for approval at 10:45 a.m., February 23, 2015: **HB 74.**

**LEGISLATIVE ADMINISTRATION** (Welborn, Chair):

2/23/2015

MR. SPEAKER:

We, your committee on Legislative Administration recommend that employment of the following pages of the House be ceased as of 12:00 p.m., Saturday, February 21, 2015:

Maggie Miltko, Missoula  
Barclay Fagg, Billings  
Harrison Fagg, Billings  
Dylan Myhre, Hamilton  
Jackson Boos, Billings  
Shalom Baer, Kalispell

and recommend that the following pages of the House be employed as of 1:00 p.m., Monday, February 23, 2015:

Hannah Fischer, Helena  
Thomas Whyte, Helena  
Autumn Webber, Browning  
Tanner Marks, Helena  
Mariah Welch, Billings



HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 23, 2015

Laynee Frost, East Helena  
Aubry Bair, Townsend  
Erin Johnson, Missoula

Report Adopted.

**COMMUNICATIONS AND PETITIONS**

Mr. Speaker: We, your committee on Legislative Administration, having examined the daily journals for the twenty-sixth, twenty-seventh, twenty-eighth, twenty-ninth, and thirtieth legislative days, find the same to be correct.

Representative Welborn, Chair

**REPORTS OF STANDING COMMITTEES**

**JUDICIARY** (Bennett, Chair):

2/23/2015

**HB 397**, introduced bill, be amended as follows:

1. Title, page 1, line 5 through line 7.

**Strike:** "ELIMINATING THE ABILITY OF A BIRTH PARENT TO REQUEST THAT AN ORIGINAL BIRTH CERTIFICATE FOR AN ADOPTEE NOT BE RELEASED WITHOUT A COURT ORDER;"

2. Title, page 1, line 7.

**Strike:** "42-5-109, 42-5-202,"

3. Page 2, line 9.

**Following:** "certificate"

**Insert:** "unless the birth parent has specifically requested in writing that the vital statistics bureau withhold release of the original birth certificate. The birth parent may change the request at any time by notifying the vital statistics bureau in writing of the change"

4. Page 2, line 16 through page 3, line 13.

**Strike:** section 2 through section 3 in their entirety

**Renumber:** subsequent sections

5. Page 3, line 20.

**Strike:** "an adoptee who has reached 18 years of age,"

6. Page 3, line 21.

**Strike:** " 1 "

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 23, 2015

7. Page 3, line 23.

**Strike:** "and"

8. Page 3, line 24.

**Following:** "review"

**Insert:** "; and

(e) an original birth certificate as provided for in 42-6-109"

9. Page 4, line 5.

**Following:** "1985"

**Insert:** ", or 30 years or more ago, whichever date is later"

10. Page 4, line 6.

**Following:** "1997;"

**Insert:** "and"

11. Page 4, line 7.

**Strike:** "and before October 1, 2015,"

12. Page 4, line 10 through line 12.

**Strike:** "; and" on line 10 through "2015" on line 12

13. Page 4, line 25 through line 28.

**Strike:** "unless" on line 25 through "order" on line 28

14. Page 4.

**Following:** line 30

**Insert:** "(3) A birth parent may request in writing to the vital statistics bureau that the birth certificate for an adoptee not be released without a court order. The birth parent may change the request at any time by notifying the vital statistics bureau in writing of the change."

15. Page 5, line 1.

**Strike:** "(3)"

**Insert:** "(4)"

And, as amended, do pass. Report adopted.

**HB 443**, do pass. Report adopted.

**HB 444**, introduced bill, be amended as follows:

1. Page 2, line 10.

**Insert:** "(4) "Governmental entity" means a state or local agency, including by not limited to a law enforcement entity or any other investigative entity, agency, department, division, bureau,

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 23, 2015

board, or commission or an individual acting or purporting to act for or on behalf of a state or local agency."

2. Page 2, line 26.

**Following:** "provider of"

**Insert:** "the"

3. Page 3, line 21.

**Following:** "(B)"

**Insert:** "of"

4. Page 3, line 25.

**Strike:** "communications"

**Insert:** "communication"

5. Page 4, line 2.

**Strike:** "communications system"

**Insert:** "communication service"

6. Page 4, line 3.

**Following:** line 2

**Insert:** "(3) Nothing in [sections 1 through 8] may be construed to limit a governmental entity's ability to use, maintain, or store information on its own electronic communication service or to disseminate information stored on its own electronic communication service."

7. Page 4, line 8.

**Strike:** "government"

**Insert:** "governmental"

8. Page 4, line 17.

**Following:** "provider of"

**Insert:** "an"

9. Page 4, line 22.

**Following:** "of"

**Insert:** "an"

**Strike:** "communications"

**Insert:** "communication"

And, as amended, do pass. Report adopted.

**HB 445**, introduced bill, be amended as follows:

1. Page 1, line 12.

**Following:** "Definitions."

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 23, 2015

**Insert:** "As used in sections [1 through 4], the following definitions apply:"

2. Page 1, line 28.

**Strike:** "(a)"

3. Page 2, line 1 through line 5.

**Strike:** subsection (b) through subsection (c) in their entirety

4. Page 2, line 10.

**Following:** "(d)"

**Insert:** "if"

5. Page 2, line 16.

**Following:** line 15

**Insert:** "(3) Nothing in [sections 1 through 4] may be construed to limit a government entity's ability to use, maintain, or store information on its own electronic devices or to disseminate information stored on its own electronic devices."

6. Page 2, line 26.

**Following:** "(iii)"

**Insert:** "of"

7. Page 3, line 15.

**Following:** "(B)"

**Insert:** "of"

And, as amended, do pass. Report adopted.

**HB 446**, do pass. Report adopted.

**HB 505**, introduced bill, be amended as follows:

1. Title, page 1, line 6 through line 7.

**Strike:** "IF" on line 6 through "WORKPLACE" on line 7

2. Page 1, line 12 through line 13.

**Strike:** "that" on line 12 through "workplace" on line 13

And, as amended, do pass. Report adopted.

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 23, 2015

**HB 533**, introduced bill, be amended as follows:

1. Page 2, line 30.

**Following:** "authorized"

**Insert:** "in writing"

And, as amended, do pass. Report adopted.

**HB 581**, do pass. Report adopted.

**HB 583**, introduced bill, be amended as follows:

1. Page 3, line 30.

**Following:** line 29

**Insert:** "NEW SECTION. Section 5. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

**Renumber:** subsequent sections

And, as amended, do pass. Report adopted.

**HB 584**, do pass. Report adopted.

**TRANSPORTATION** (Lavin, Chair):

2/20/2015

**HB 415**, introduced bill, be amended as follows:

1. Title, line 6 through line 7.

**Strike:** "PROHIBITING" on line 6 through "EXCEPTIONS;" on line 7

2. Page 3, line 15 through page 4, line 19.

**Strike:** section 3 in its entirety

**Renumber:** subsequent sections

3. Page 5, line 3 through line 4.

**Strike:** section 5 in its entirety

And, as amended, do pass. Report adopted.

**HB 486**, introduced bill, be amended as follows:

1. Title, line 8.

**Strike:** "45-5-205,"

**Strike:** "61-8-401,"

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 23, 2015

2. Page 2, line 22 through page 3, line 5.

**Strike:** section 3 in its entirety

**Renumber:** subsequent sections

3. Page 19, line 4 through line 6.

**Strike:** "If" on line 4 through "source." on line 6

4. Page 19, line 7.

**Following:** "miles an hour"

**Strike:** ", 48.28" through "hour,"

5. Page 20, line 5 through page 21, line 12.

**Strike:** section 6 in its entirety

**Renumber:** subsequent sections

6. Page 21, line 17.

**Strike:** "The"

**Insert:** "Subject to the exceptions stated in this part, the"

**Following:** "whenever"

**Insert:** ": (a)"

7. Page 21, line 18.

**Following:** "highway"

**Insert:** ","

**Following:** "upon"

**Insert:** "(b) a bicycle is operated on"

**Strike:** "or mopeds"

8. Page 21, line 18 through line 19.

**Strike:** "subject" on line 18 through "part" on line 19

9. Page 23, line 30.

**Following:** "sidewalks"

**Insert:** "and bike lanes"

**Strike:** "A"

**Insert:** "Subject to the provisions of subsection (3)(b), a"

10. Page 24, line 5.

**Following:** "(3)"

**Insert:** "(a)"

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 23, 2015

11. Page 24.

**Following:** line 7

**Insert:** "(b) A moped may be operated on and along a sidewalk or a bicycle path only under human propulsion and may not be operated on or along a sidewalk or bicycle path if the moped is under power from an independent power source.

(c) A moped may be operated under human propulsion or an independent power source on a highway, in a designated bicycle lane on a highway, or on the shoulder of a highway."

And, as amended, do pass. Report adopted.

**HB 491**, introduced bill, be amended as follows:

1. Title, line 6 through line 9.

**Strike:** "PROVIDING" on line 6 through "CONVICTIONS" on line 9

**Insert:** "CLARIFYING ELIGIBILITY"

2. Page 5, line 8 through line 12.

**Strike:** subsection (4) in its entirety

**Insert:** "(4) A person is eligible to participate in and a court may compel a person to participate in a sobriety program if the person:

(a) is charged with violating 61-8-465; or

(b)(i) is charged with or has been convicted of violating 61-8-401 or 61-8-406; and

(ii) at any time in the 10 years preceding the date of the current charge or conviction:

(A) has been convicted in this state of a violation of 61-8-401, 61-8-406, or 61-8-465;

(B) has been convicted of a violation of a statute or regulation in another state or on a federally recognized Indian reservation that is similar to 61-8-401, 61-8-406, or 61-8-465; or

(C) has forfeited bail or collateral deposited to secure the defendant's appearance in court in this state, in another state, or on a federally recognized Indian reservation for a charge of violating 61-8-401, 61-8-406, 61-8-465, or a similar statute or regulation and the forfeiture has not been vacated.

(5) As used in this section, "conviction" has the meaning provided in 45-2-101."

And, as amended, do pass. Report adopted.

**HB 549**, introduced bill, be amended as follows:

1. Title, line 5.

**Following:** "INCLUDE"

**Insert:** "CERTAIN"

2. Page 1, line 25.

**Strike:** "and"

3. Page 1, line 27.

**Following:** "jurisdiction"

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 23, 2015

**Insert:** "; (10) a motorcycle designed for off-road recreational use unless it has been modified to meet the equipment standards specified in chapter 9 and has been registered for highway use; and

(11) a moped. For the purposes of this section, a moped means a vehicle equipped with two or three wheels, foot pedals to permit muscular propulsion, and an independent power source providing a maximum of 2 brake horsepower. The power source may not be capable of propelling the device, unassisted, at a speed exceeding 30 miles an hour on a level surface. The device must be equipped with a power drive system that functions directly or automatically only and does not require clutching or shifting by the operator after the drive system is engaged"

4. Page 1.

**Following:** line 27

**Insert:** "COORDINATION SECTION. Section 2. Coordination instruction. (1) If Senate Bill No. 110 and [this act] are both passed and approved and if the definition of "motorcycle" in 61-1-101(42)(c) in Senate Bill No. 110 is essentially the same as the description in 61-6-303(10) in [this act], then 61-6-303(10) in [this act] must read:

"(10) a motorcycle as described in 61-1-101(42)(c)."

(2) If House Bill No. 486 and [this act] are both passed and approved and if the definition of "moped" in 61-8-102 in House Bill No. 486 is essentially the same as the description in 61-6-303(11) in [this act], then 61-6-303(11) in [this act] must read:

"(11) a moped, as defined in 61-8-102".

And, as amended, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**Senate bills** passed and transmitted to the House for concurrence:

2/20/2015

**SB 112**, introduced by Ankney

**SB 220**, introduced by Kaufmann

**SB 235**, introduced by Hansen

**SB 248**, introduced by Brenden

**SB 282**, introduced by Facey

**FIRST READING AND COMMITMENT OF BILLS**

The following Senate bills were introduced, read first time, and referred to committees:

**SB 112**, introduced by D. Ankney, referred to Natural Resources.

**SB 220**, introduced by C. Kaufmann, referred to State Administration.

**SB 235**, introduced by K. Hansen, referred to State Administration.



HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 23, 2015

**SB 248**, introduced by J. Brenden, D. Ankney, N. Ballance, M. Blasdel, D. Brown, T. Brown, E. Buttrey, P. Connell, A. Doane, J. Fielder, C. Glimm, B. Hamlett, D. Kary, J. Keane, M. Lang, M. Miller, D. Mortensen, R. Osmundson, A. Redfield, R. Ripley, M. Rosendale, S. Sales, C. Smith, S. Staffanson, N. Swandal, J. Taylor, F. Thomas, G. Vance, R. Webb, referred to State Administration.

**SB 282**, introduced by T. Facey, referred to Education.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Osmundson in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 237** - Representative Olszewski moved **HB 237** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 97

Nays: Burnett, Dudik, Zolnikov.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 281** - Representative Mortensen moved **HB 281** do pass. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, B. Brown, Burnett, Doane, Fiscus, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Lamm, Mandeville, Manzella, McKamey, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Regier, Richmond, Staffanson,

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 23, 2015

Tschida, Wagoner, White, Williams, Wittich, Zolnikov, Mr. Speaker.

Total 36

Nays: B. Bennett, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Ricci, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Wilson, Woods.

Total 64

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 320** - Representative Glimm moved **HB 320** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 54

Nays: B. Bennett, Z. Brown, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 46

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 370** - Representative D. Moore moved **HB 370** do pass. Motion **failed** as follows:

Yeas: B. Bennett, Z. Brown, Clark, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, Greef, Hagstrom, Hayman, Hill, Hunter, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald,

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 23, 2015

McCarthy, McClafferty, McConnell, Meyers, Moore, Mortensen, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pope, Price, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Zolnikov.

Total 50

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Miller, Monforton, Noland, Osmundson, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Mr. Speaker.

Total 50

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 394** - Representative G. Bennett moved **HB 394** do pass. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Greef, Hagstrom, Hayman, Hill, Hunter, Karjala, Kelker, Kipp III, Laszloffy, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Meyers, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods.

Total 52

Nays: Ballance, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Flynn, Garner, Glimm, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Lang, Lavin, Mandeville, Manzella, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, White, Zolnikov, Mr. Speaker.

Total 47

Excused: None.

Total 0

Absent or not voting: Welborn.

Total 1

**HB 434** - Representative Lieser moved **HB 434** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann,

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 23, 2015

Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 95

Nays: Lamm, Lavin, Monforton, Wittich, Zolnikov.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 441** - Representative Essmann moved **HB 441** do pass. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Garner, Greef, Hagstrom, Hayman, Hill, Holmlund, Jacobson, Jones, Karjala, Kelker, Lamm, Laszloffy, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Mortensen, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 63

Nays: Ballance, Berry, Brodehl, B. Brown, Cuffe, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Glimm, Harris, Hertz, Hess, Hollandsworth, Hunter, Kipp III, Lavin, Mandeville, Manzella, Miller, Monforton, Noland, Noonan, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, White, Mr. Speaker.

Total 36

Excused: None.

Total 0

Absent or not voting: Lang.

Total 1

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 23, 2015

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Osmundson moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Dunwell, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Kelker, Lamm, Laszloffy, Lavin, Lieser, Lynch, Mandeville, Manzella, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Person, Pierson, Pinocci, Pope, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Wilson, Wittich, Zolnikov, Mr. Speaker.  
Total 80

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Eck, Hill, Hunter, Karjala, Kipp III, MacDonald, McCarthy, Pease-Lopez, Peppers, Perry, Price, Williams.  
Total 17

Excused: Hagstrom, Woods.  
Total 2

Absent or not voting: Lang.  
Total 1

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 164** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Wittich, Zolnikov, Mr. Speaker.  
Total 95

Nays: B. Brown, Manzella, Welborn.  
Total 3

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 23, 2015

Excused: Hagstrom, Woods.

Total 2

Absent or not voting: None.

Total 0

**HB 191** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Excused: Hagstrom, Woods.

Total 2

Absent or not voting: None.

Total 0

**HB 196** passed as follows:

Yeas: Ballance, B. Bennett, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Mr. Speaker.

Total 82

Nays: J. Bennett, Berglee, B. Brown, Burnett, Glimm, Hess, Laszloffy, Manzella, McKamey, Monforton, Noland, Pinocci, Tschida, White, Wittich, Zolnikov.

Total 16

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 23, 2015

Excused: Hagstrom, Woods.

Total 2

Absent or not voting: None.

Total 0

**HB 227** passed as follows:

Yeas: B. Bennett, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Mr. Speaker.

Total 76

Nays: Ballance, J. Bennett, Berglee, B. Brown, Burnett, Doane, Flynn, Hess, Lamm, Laszloffy, Manzella, Monforton, Mortensen, Pinocci, Randall, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 22

Excused: Hagstrom, Woods.

Total 2

Absent or not voting: None.

Total 0

**HB 244** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lang, Laszloffy, Lavin, Mandeville, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.

Total 53

Nays: B. Bennett, B. Brown, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, Monforton, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Williams, Wilson, Wittich.

Total 45

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 23, 2015

Excused: Hagstrom, Woods.

Total 2

Absent or not voting: None.

Total 0

**HB 252** passed as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Zolnikov, Mr. Speaker.

Total 88

Nays: Ballance, B. Brown, Burnett, Lavin, Manzella, McKamey, Monforton, Olszewski, Schwaderer, Wittich.

Total 10

Excused: Hagstrom, Woods.

Total 2

Absent or not voting: None.

Total 0

**HB 306** passed as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Funk, Garner, Hayman, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Mortensen, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Mr. Speaker.

Total 67

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Fiscus, Flynn, Glimm, Greef, Harris, Hess, Holmlund, Jones, Lamm, Laszloffy, Manzella, Miller, Monforton, Noland, Osmundson, Randall, Regier, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 31



HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 23, 2015

Excused: Hagstrom, Woods.

Total 2

Absent or not voting: None.

Total 0

**HB 318** passed as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Monforton, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Mr. Speaker.

Total 73

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Fitzpatrick, Glimm, Greef, Jones, Lamm, Laszloffy, Manzella, McKamey, Meyers, Miller, Mortensen, Schwaderer, White, Wittich, Zolnikov.

Total 25

Excused: Hagstrom, Woods.

Total 2

Absent or not voting: None.

Total 0

**HB 322** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 57

Nays: B. Bennett, Z. Brown, Cook, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson.

Total 41

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 23, 2015

Excused: Hagstrom, Woods.

Total 2

Absent or not voting: None.

Total 0

**HB 337** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Mr. Speaker.

Total 89

Nays: J. Bennett, B. Brown, Burnett, Doane, Flynn, Lamm, Mortensen, Staffanson, Zolnikov.

Total 9

Excused: Hagstrom, Woods.

Total 2

Absent or not voting: None.

Total 0

**HB 402** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Moore, Mortensen, Noland, Olszewski, Osmundson, Peppers, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Monforton, Noonan, Olsen, Pease-Lopez, Perry, Person, Pierson, Pope, Price, Schreiner, Steenberg, Swanson, Tropila, Webber, Williams, Wilson.

Total 39

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 23, 2015

Excused: Hagstrom, Woods.

Total 2

Absent or not voting: None.

Total 0

**HB 439** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Zolnikov, Mr. Speaker.

Total 97

Nays: Monforton.

Total 1

Excused: Hagstrom, Woods.

Total 2

Absent or not voting: None.

Total 0

**HB 538** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 23, 2015

Excused: Hagstrom, Woods.

Total 2

Absent or not voting: None.

Total 0

**HB 542** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Mr. Speaker.

Total 84

Nays: J. Bennett, Brodehl, Burnett, Cook, Doane, Hess, Jones, Lamm, Lavin, Meyers, Monforton, Wagoner, Wittich, Zolnikov.

Total 14

Excused: Hagstrom, Woods.

Total 2

Absent or not voting: None.

Total 0

**HB 546** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Zolnikov, Mr. Speaker.

Total 93

Nays: J. Bennett, Burnett, Hess, Lamm, Laszloffy.

Total 5

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 23, 2015

Excused: Hagstrom, Woods.

Total 2

Absent or not voting: None.

Total 0

**HB 550** passed as follows:

Yeas: B. Bennett, J. Bennett, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noland, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Regier, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Wilson, Mr. Speaker.

Total 73

Nays: Ballance, Berglee, B. Brown, Doane, Flynn, Hess, Lamm, Lang, Laszloffy, Manzella, McKamey, Miller, Monforton, Mortensen, Olszewski, Osmundson, Randall, Redfield, Ricci, Schwaderer, Staffanson, Tschida, Williams, Wittich, Zolnikov.

Total 25

Excused: Hagstrom, Woods.

Total 2

Absent or not voting: None.

Total 0

**MOTIONS**

Majority Leader Regier moved **HB 237** be moved from the Committee of the Whole to the Appropriations Committee.

Representative Dunwell moved that **HB 384** be taken from Business and Labor and brought before the Committee of the Whole.

Motion **failed** as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson.

Total 41

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 23, 2015

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 57

Excused: Hagstrom, Woods.

Total 2

Absent or not voting: None.

Total 0

Representative Hill moved that **HB 317** be taken from Judiciary and brought before the Committee of the Whole.

Motion **failed** as follows:

Yeas: B. Bennett, Z. Brown, Cook, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Monforton, Moore, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson.

Total 50

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cuffe, Custer, Doane, Ehli, Fiscus, Garner, Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Manzella, Meyers, Miller, Mortensen, Noland, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 48

Excused: Hagstrom, Woods.

Total 2

Absent or not voting: None.

Total 0

Representative Lieser moved that **HJR 19** be taken from Natural Resources and brought before the Committee of the Whole.

Motion **failed** as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson.

Total 44

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 54

Excused: Hagstrom, Woods.

Total 2

Absent or not voting: None.

Total 0

### **SPECIAL ORDERS OF THE DAY**

Majority Aide Schuyler Watt proposed to Mariah Gondeiro during Session, Miss Gondeiro said yes.

Representative Pope read the following proclamation honoring all Engineers working in the State of Montana:

#### **A JOINT PROCLAMATION OF THE MONTANA LEGISLATURE**

WHEREAS, Montana is made great by those individuals and organizations that perform exemplary service on behalf of their community through unique achievement in their professional endeavors; and

WHEREAS, The State of Montana relies on skilled, creative engineers to design functional, economic and efficient infrastructure to improve the quality of life and create equality of opportunity; and

WHEREAS, The work of engineers is too often invisible to the public who benefit from it and is therefore worthy of special recognition; and

WHEREAS, The Montana House of Representatives wishes to recognize and honor all engineers who live and work in Montana and who practice the profession of engineering in an honorable, responsible and competent manner;

THEREFORE, Be it resolved that the House of Representatives and Senate of the State of Montana, do hereby proclaim February 23 through February 28, 2015 as ENGINEERS WEEK in The State of Montana.

### **ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Tuesday, February 24, 2015. Motion carried.

House adjourned at 3:26 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House



**HOUSE JOURNAL  
64TH LEGISLATURE  
FORTY-SECOND LEGISLATIVE DAY**

Helena, Montana  
February 24, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Wagoner. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

**BILLS** (Welborn, Chair):

2/24/2015

Correctly printed: **HB 381, HB 454, HB 463, HB 468, HB 564, HB 588.**

Correctly engrossed: **HB 330, HB 349, HB 507, HB 517, HB 529, HB 562, HB 575, HB 577, HB 578, HB 580.**

Transmitted to the Senate: **HB 164, HB 191, HB 196, HB 227, HB 244, HB 252, HB 306, HB 318, HB 322, HB 337, HB 402, HB 439, HB 538, HB 542, HB 546, HB 550.**

Signed by the President at 3:30 p.m., February 24, 2015: **HB 27.**

**REPORTS OF STANDING COMMITTEES**

**APPROPRIATIONS** (Ballance, Chair):

2/23/2015

**HB 330**, introduced bill, be amended as follows:

1. Title, page 1, line 6 through line 11.

**Following:** "PROVIDE" on line 6

**Strike:** "CERTAIN INFORMATION" through "COMMITTEE" on line 11

**Insert:** "PUBLIC NOTIFICATION"

2. Page 1, line 15 through page 3, line 16.

**Strike:** sections 1 and 2 in their entirety

**Insert:** "NEW SECTION. Section 1. Limitations on excess property provided to local law enforcement -- definitions. (1) A law enforcement agency may not receive the following property from a military equipment surplus program operated by the federal government:

(a) drones that are armored, weaponized, or both;

(b) aircraft that are combat configured or combat coded;

(c) grenades or similar explosives, including but not limited to flash-bang grenades, stun grenades, and grenade launchers;

(d) silencers;

(e) long-range acoustic devices; or

(f) armored vehicles.

(2) For purposes of this section, "law enforcement agency" means a law enforcement service provided by a local government as authorized in Title 7, chapter 32."

**Insert:** "NEW SECTION. Section 2. Public notification. If a law enforcement agency

HOUSE JOURNAL  
FORTY-SECOND LEGISLATIVE DAY - FEBRUARY 24, 2015

requests property from a military equipment surplus program, the law enforcement agency shall publish a notice of the request on a publicly accessible website within 60 days after the request."

3. Page 3, line 18.

**Following:** "instruction." on line 18

**Strike:** "(1)" on line 18 through "[Section 2] is" on line 20

**Insert:** "[Sections 1 and 2] are"

4. Page 3, line 21.

**Strike:** "[section 2]"

**Insert:** "[sections 1 and 2]"

And, as amended, do pass. Report adopted.

**HB 381**, do pass. Report adopted.

**HB 463**, do pass. Report adopted.

**BUSINESS AND LABOR** (Berry, Chair):

2/20/2015

**HB 577**, do pass. Report adopted.

**HUMAN SERVICES** (Wittich, Chair):

2/23/2015

**HB 349**, introduced bill, be amended as follows:

1. Title, page 1, line 5.

**Following:** "DISCRIMINATION;"

**Insert:** "PROVIDING EXCEPTIONS;"

2. Page 1.

**Following:** line 26

**Insert:** "(3) This section does not apply to excepted benefits as defined in 33-22-140."

And, as amended, do pass. Report adopted.

**HB 468**, do pass. Report adopted.

**HB 507**, do pass. Report adopted.

**HB 517**, do pass. Report adopted.

**STATE ADMINISTRATION** (Essmann, Chair):

2/23/2015

**HB 454**, do pass. Report adopted.

**HB 529**, introduced bill, be amended as follows:

1. Page 1, line 17.

**Following:** "watcher"

**Insert:** "at a polling place where electors are voting on ballots with the candidate's name on them"

HOUSE JOURNAL  
FORTY-SECOND LEGISLATIVE DAY - FEBRUARY 24, 2015

And, as amended, do pass. Report adopted.

**HB 562**, do pass. Report adopted.

**HB 564**, do pass. Report adopted.

**HB 578**, do pass. Report adopted.

**HB 588**, do pass. Report adopted.

**STATE ADMINISTRATION** (Essmann, Chair):

2/24/2015

**HB 575**, introduced bill, be amended as follows:

1. Page 1, line 13.

**Strike:** "granted to nonstate entities"

**Insert:** "distributed as grants"

2. Page 2, line 18.

**Strike:** "a"

**Insert:** "any state or"

And, as amended, do pass. Report adopted.

**HB 580**, introduced bill, be amended as follows:

1. Title, page 1, line 5.

**Strike:** "CERTAIN ITEMS"

**Insert:** "ANYTHING OF VALUE"

**Following:** "PLACE"

**Insert:** "ON ELECTION DAY"

2. Page 1, line 15.

**Strike:** "A"

**Insert:** "On election day, a"

And, as amended, do pass. Report adopted.

**ADVERSE COMMITTEE REPORT**

**STATE ADMINISTRATION** (Essmann, Chair):

2/24/2015

**HB 335**, do not pass.

**HB 514**, do not pass.

Minority Leader Hunter rose in Objection to the Adverse Committee Reports on HB 335 and 514. He stated that since Montana became a state the constitutional provisions that govern over the Legislature are the fundamental principles of majority rule. Article 5 Section 11 is specific to this point, as it regards legislation. The Montana Supreme Court recognized and applied this principle that a legislative body cannot constitutionally delegate its power to even a committee of its own

HOUSE JOURNAL  
FORTY-SECOND LEGISLATIVE DAY - FEBRUARY 24, 2015

members and a seminal case construing that section in *State ex rel Judge v Legislative Finance Committee*. The Mason Manual of Legislative Procedures which is formally adopted as the underpinning of our own rules also speaks to the fundamental primacy of constitutional principles of majority rules in many sections including Sections 10, 12, 51 and 510. Minority Hunter renewed objections to the use of Rule H40-100, Adverse Committee Reports, requiring a super majority to reject such a report.

The objection was noted by Mr. Speaker

**MESSAGES FROM THE SENATE**

**Senate bills** passed and transmitted to the House for concurrence:

2/21/2015

**SB 224**, introduced by Wolken  
**SB 232**, introduced by F. Moore  
**SB 245**, introduced by Kary  
**SB 284**, introduced by Brenden  
**SB 288**, introduced by Tutvedt  
**SB 327**, introduced by Blasdel

**FIRST READING AND COMMITMENT OF BILLS**

The following Senate bills were introduced, read first time, and referred to committees:

**SB 224**, introduced by C. Wolken, K. Hansen, A. Knudsen, N. Swandal, referred to Judiciary.  
**SB 232**, introduced by F. Moore, referred to Agriculture.  
**SB 245**, introduced by D. Kary, D. Ankney, M. Blasdel, J. Brenden, B. Brown, K. Flynn, F. Garner, B. Hamlett, B. Harris, S. Hess, D. Howard, J. Keane, B. Keenan, S. Laszloffy, S. Lavin, F. Mandeville, K. McCarthy, G. Meyers, M. Noland, A. Olszewski, Z. Perry, K. Regier, R. Ripley, N. Schwaderer, C. Smith, J. Taylor, F. Thomas, G. Vance, R. Webb, J. Welborn, J. Windy Boy, D. Zolnikov, referred to Fish, Wildlife and Parks.  
**SB 284**, introduced by J. Brenden, M. Blasdel, R. Brodehl, M. Cuffe, D. Howard, M. Lang, M. Miller, F. Moore, A. Redfield, T. Richmond, R. Ripley, M. Rosendale, R. Osmundson, S. Sales, C. Smith, G. Vance, K. White, referred to Agriculture.  
**SB 288**, introduced by B. Tutvedt, referred to Business and Labor.  
**SB 327**, introduced by M. Blasdel, referred to Federal Relations, Energy, and Telecommunications.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Eck in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HOUSE JOURNAL  
FORTY-SECOND LEGISLATIVE DAY - FEBRUARY 24, 2015

**HB 410** - Majority Leader Regier moved consideration of **HB 410** be passed for the day.  
Motion carried.

**HB 451** - Representative Pope moved **HB 451** do pass.

**HB 451** - Majority Leader Regier moved **HB 451**, second reading copy, be further amended as follows:

1. Page 3, line 4.

**Strike:** "an individual"

**Insert:** "a child"

2. Page 3, line 6.

**Strike:** "admitted pursuant to 20-5-101 and"

**Insert:** "6 years of age or older on or before September 10 of the year in which the child is to enroll or has been enrolled by special permission of the board of trustees under 20-5-101(3) but who has not yet reached 19 years of age and who is"

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Noonan.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
FORTY-SECOND LEGISLATIVE DAY - FEBRUARY 24, 2015

**HB 451** - Representative Pope moved **HB 451**, as amended, do pass. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Garner, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 53

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 47

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 472** - Representative Jacobson moved **HB 472** do pass.

**HB 472** - Representative Jacobson moved **HB 472**, second reading copy, be amended as follows:

1. Page 8, line 24.

**Following:** "BIENNIUM"

**Insert:** "from the department of public health and human services"

2. Page 8, line 25.

**Following:** "\$85,741"

**Strike:** "IN"

**Insert:** "of"

**Following:** "FUND"

**Strike:** "MUST BE TRANSFERRED"

**Insert:** "is appropriated"

3. Page 8, line 25 through line 26.

**Strike:** "FROM" on line 25 through "SERVICES" on line 25

HOUSE JOURNAL  
FORTY-SECOND LEGISLATIVE DAY - FEBRUARY 24, 2015

4. Page 8, line 29.

**Strike:** "IN"

**Insert:** "of"

**Following:** "SERVICES"

**Insert:** "and is appropriated"

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 93

Nays: B. Brown, Burnett, Lamm, Monforton, Staffanson, White, Zolnikov.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 472** - Representative Jacobson moved **HB 472**, as amended, do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 91

Nays: J. Bennett, Brodehl, B. Brown, Burnett, Glimm, Lamm, Monforton, Wittich, Zolnikov.

Total 9

HOUSE JOURNAL  
FORTY-SECOND LEGISLATIVE DAY - FEBRUARY 24, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 535** - Representative Wagoner moved **HB 535** do pass. Motion **failed** as follows:

Yeas: J. Bennett, Berglee, Berry, Brodehl, Clark, Doane, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Shaw, Staffanson, Tschida, Wagoner, White, Zolnikov, Mr. Speaker.

Total 46

Nays: Ballance, B. Bennett, B. Brown, Z. Brown, Burnett, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Funk, Greef, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Monforton, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Schwaderer, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Wittich, Woods.

Total 53

Excused: None.

Total 0

Absent or not voting: Cuffe.

Total 1

**HB 583** - Representative Pinocci moved **HB 583** do pass. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Holmlund, Jones, Lamm, Lang, Manzella, McKamey, Meyers, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 41

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Garner, Hayman, Hertz, Hess, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 59



HOUSE JOURNAL  
FORTY-SECOND LEGISLATIVE DAY - FEBRUARY 24, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 453** - Representative McKamey moved **HB 453** do pass. Motion **failed** as follows:

Yeas: B. Bennett, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Hayman, Hill, Hunter, Karjala, Kelker, Kipp III, Lang, Lieser, MacDonald, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Monforton, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Price, Redfield, Salomon, Schreiner, Smith, Steenberg, Tropila, Webber, Williams, Wilson, Wittich, Woods.

Total 47

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Laszloffy, Lavin, Lynch, Mandeville, Meyers, Miller, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Pope, Randall, Regier, Ricci, Richmond, Schwaderer, Shaw, Staffanson, Swanson, Tschida, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.

Total 52

Excused: None.

Total 0

Absent or not voting: Harris.

Total 1

**HB 460** - Representative Mehlhoff moved **HB 460** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Welborn, Wilson.

Total 2

HOUSE JOURNAL  
FORTY-SECOND LEGISLATIVE DAY - FEBRUARY 24, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 482** - Representative Hunter moved **HB 482** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 499** - Representative Fitzpatrick moved **HB 499** do pass.

**HB 499** - Representative Fitzpatrick moved **HB 499**, second reading copy, be amended as follows:

1. Page 1, line 14.

**Following:** "a residence or"

**Insert:** "any"

**Following:** "structure"

**Strike:** "of the property owner"

**Insert:** "on residential property or any area on nonresidential property that is not generally open to the public"

Amendment adopted as follows:

HOUSE JOURNAL  
FORTY-SECOND LEGISLATIVE DAY - FEBRUARY 24, 2015

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 87

Nays: Brodehl, B. Brown, Dunwell, Harris, Hayman, Lamm, Manzella, Monforton, Olsen, Pinocci, Staffanson, Zolnikov.

Total 12

Excused: None.

Total 0

Absent or not voting: Noonan.

Total 1

**HB 499** - Representative Fitzpatrick moved **HB 499**, as amended, do pass. Motion **failed** as follows:

Yeas: Berry, Clark, Curdy, Custer, Fitzpatrick, Funk, Hunter, Jacobson, Kipp III, Lang, Lieser, McConnell, Mehlhoff, Moore, Noonan, Peppers, Perry, Ricci, Richmond, Salomon, Schreiner, Steenberg, Swanson, Tropila, Webber, Welborn, Wilson.

Total 27

Nays: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jones, Karjala, Kelker, Lamm, Laszloffy, Lavin, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olsen, Olszewski, Osmundson, Pease-Lopez, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Schwaderer, Shaw, Smith, Staffanson, Tschida, Wagoner, White, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 73

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
FORTY-SECOND LEGISLATIVE DAY - FEBRUARY 24, 2015

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Eck moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Lynch, Welborn.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 320 failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 50

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fiscus, Fitzpatrick, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen,

HOUSE JOURNAL  
FORTY-SECOND LEGISLATIVE DAY - FEBRUARY 24, 2015

Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 50

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 394** passed as follows:

Yeas: B. Bennett, J. Bennett, Z. Brown, Court, Cuffe, Curdy, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Greef, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods.  
Total 52

Nays: Ballance, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Custer, Doane, Ehli, Flynn, Garner, Glimm, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.  
Total 48

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 434** passed as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 90

HOUSE JOURNAL  
FORTY-SECOND LEGISLATIVE DAY - FEBRUARY 24, 2015

Nays: Ballance, Glimm, Hagstrom, Lamm, Lavin, Monforton, Pinocci, Welborn, Wittich, Zolnikov.  
Total 10

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 441** passed as follows:

Yeas: B. Bennett, Berglee, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Funk, Garner, Greef, Hagstrom, Hayman, Hill, Holmlund, Jones, Karjala, Kelker, Lamm, Lang, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Mortensen, Olszewski, Osmundson, Pease-Lopez, Peppers, Person, Pierson, Pinocci, Pope, Price, Richmond, Salomon, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Williams, Wilson, Wittich, Zolnikov.  
Total 59

Nays: Ballance, J. Bennett, Berry, Brodehl, B. Brown, Doane, Ehli, Fitzpatrick, Flynn, Glimm, Harris, Hertz, Hess, Hollandsworth, Hunter, Jacobson, Kipp III, Laszloffy, Lavin, Lieser, Mandeville, Manzella, Miller, Monforton, Noland, Noonan, Olsen, Perry, Randall, Redfield, Regier, Ricci, Schreiner, Schwaderer, Tschida, Wagoner, Webber, Welborn, White, Woods, Mr. Speaker.  
Total 41

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**MOTIONS**

Majority Leader Regier moved **HB 451** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **HB 472** be moved from the Committee of the Whole to the Appropriations Committee.

Representative Williams moved to change their vote on **HB 281** from Yes to No. Without objection, so ordered.

Representative B. Smith moved to change their vote on **HB 453** from No to Yes. Without objection, so ordered.

HOUSE JOURNAL  
FORTY-SECOND LEGISLATIVE DAY - FEBRUARY 24, 2015

Representative B. Bennett moved that **HB 409** be taken from State Administration and brought before the Committee of the Whole.

Motion **failed** as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 59

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Representative Miller moved that **HB 480** be taken from Transportation and brought before the Committee of the Whole.

Motion **failed** as follows:

Yeas: J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Custer, Essmann, Fiscus, Flynn, Glimm, Harris, Hess, Hill, Hollandsworth, Jones, Laszloffy, Mandeville, McCarthy, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Person, Pinocci, Redfield, Regier, Richmond, Salomon, Schwaderer, Smith, Staffanson, Steenberg, Wagoner, White, Wittich, Zolnikov.  
Total 44

Nays: Ballance, B. Bennett, B. Brown, Court, Cuffe, Curdy, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lang, Lavin, Lieser, Lynch, MacDonald, Manzella, McClafferty, McConnell, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Pierson, Pope, Price, Randall, Ricci, Schreiner, Shaw, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.  
Total 56

HOUSE JOURNAL  
FORTY-SECOND LEGISLATIVE DAY - FEBRUARY 24, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Tropila moved that **HB 304** be taken from Transportation and brought before the Committee of the Whole.

Motion **failed** as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hagstrom, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 44

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 56

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 9:00 a.m., Wednesday, February 25, 2015. Motion carried.

House adjourned at 3:15 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House



**HOUSE JOURNAL  
64TH LEGISLATURE  
FORTY-THIRD LEGISLATIVE DAY**

Helena, Montana  
February 25, 2015

House Chambers  
State Capitol

House convened at 9:00 a.m. Mr. Speaker presiding. Invocation by Representative Ballance. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Hill and Hunter, excused.  
Quorum present.

**BILLS** (Welborn, Chair):

2/25/2015

Correctly printed: **HB 237, HB 377, HB 483, HB 501, HB 468, HB 562, HB 575.**

Correctly engrossed: **HB 180, HB 474.**

Transmitted to the Senate: **HB 394, HB 434, HB 441.**

Delivered to the Governor for approval at 8:30 a.m., February 25, 2015: **HB 27.**

**REPORTS OF STANDING COMMITTEES**

**ADVERSE COMMITTEE REPORT**

STATE ADMINISTRATION (Essmann, Chair):

2/25/2015

Representative Person made the substitute motion that the Adverse Committee Report for **HB 514** be rejected. Motion failed as follows:

Yeas: B. Bennett, Z. Brown, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 42

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 56

Excused: Hill, Hunter.

Total 2

HOUSE JOURNAL  
FORTY-THIRD LEGISLATIVE DAY - FEBRUARY 25, 2015

Absent or not voting: None.

Total 0

Representative Miller made the motion to Call the Previous Question **on HB 514**. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 39

Excused: Hill, Hunter.

Total 2

Absent or not voting: None.

Total 0

**APPROPRIATIONS** (Ballance, Chair):

2/24/2015

**HB 180**, do pass. Report adopted.

**HB 237**, do pass. Report adopted.

**HB 377**, do pass. Report adopted.

**HB 483**, do pass. Report adopted.

**HB 501**, do pass. Report adopted.

**APPROPRIATIONS** (Ballance, Chair):

2/25/2015

**HB 474**, introduced bill, be amended as follows:

1. Title, page 1, line 4.

**Following:** "JUSTICE"

**Insert:** "AND THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES"

2. Title, page 1, line 4.

**Following:** "TO"

**Strike:** "UNDERTAKE"

**Insert:** "COORDINATE"

HOUSE JOURNAL  
FORTY-THIRD LEGISLATIVE DAY - FEBRUARY 25, 2015

3. Page 1, line 14.

**Following:** "justice"

**Insert:** "and the department of public health and human services"

4. Page 1, line 14.

**Following:** "shall"

**Strike:** "undertake"

**Insert:** "coordinate "

5. Page 1, line 21 through line 22.

**Following:** "enforcement"

**Strike:** ", the" on line 21 through "services," on line 22

And, as amended, do pass. Report adopted.

**HB 468**, do pass. Report adopted.

**HB 562**, do pass. Report adopted.

**HB 575**, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**House bill** concurred in as amended and returned to the House for concurrence in Senate amendments:

2/25/2015

**HB 166**, introduced by Regier

**Senate bill** passed and transmitted to the House for concurrence:

3/23/2015

**SB 118**, introduced by Hamlett

**SB 207**, introduced by Tutvedt

**SB 219**, introduced by Taylor

**SB 223**, introduced by Vance

**SB 253**, introduced by McNally

**SB 266**, introduced by McNally

**SB 280**, introduced by F. Moore

**SB 281**, introduced by F. Moore

**SB 294**, introduced by F. Moore

**Senate bill** passed and transmitted to the House for concurrence:

3/24/2015

**SB 83**, introduced by Kaufmann

**SB 107**, introduced by T. Brown

**SB 148**, introduced by C. Smith

**SB 180**, introduced by Hoven

HOUSE JOURNAL  
FORTY-THIRD LEGISLATIVE DAY - FEBRUARY 25, 2015

**SB 195**, introduced by Caferro  
**SB 210**, introduced by Vuckovich  
**SB 216**, introduced by Webb  
**SB 251**, introduced by D. Brown  
**SB 295**, introduced by Blasdel  
**SB 321**, introduced by Blasdel  
**SB 332**, introduced by Buttrey  
**SB 344**, introduced by Webb

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 590**, introduced by M. Cuffe, referred to Natural Resources.  
**HB 591**, introduced by C. Pope, referred to Taxation.

The following Senate bills were introduced, read first time, and referred to committees:

**SB 118**, introduced by B. Hamlett, C. Vincent, S. Stewart-Peregoy, referred to Natural Resources.  
**SB 207**, introduced by B. Tutvedt, referred to Human Services.  
**SB 219**, introduced by J. Taylor, D. Mortensen, N. Swandal, referred to Judiciary.  
**SB 223**, introduced by G. Vance, referred to Judiciary.  
**SB 253**, introduced by M. McNally, K. Dudik, M. Monforton, N. Swandal, referred to Judiciary.  
**SB 266**, introduced by M. McNally, referred to Judiciary.  
**SB 280**, introduced by F. Moore, S. Fitzpatrick, referred to Business and Labor.  
**SB 281**, introduced by F. Moore, S. Fitzpatrick, referred to Business and Labor.  
**SB 294**, introduced by F. Moore, referred to Local Government.  
**SB 83**, introduced by C. Kaufmann (by request of the State Auditor), referred to Business and Labor.  
**SB 107**, introduced by T. Brown, referred to Education.  
**SB 148**, introduced by C. Smith, referred to Human Services.  
**SB 180**, introduced by B. Hoven, referred to Transportation.  
**SB 195**, introduced by M. Caferro, C. Larsen, referred to State Administration.  
**SB 210**, introduced by G. Vuckovich, referred to Agriculture.  
**SB 216**, introduced by R. Webb, referred to Human Services.  
**SB 251**, introduced by D. Brown, referred to Business and Labor.  
**SB 295**, introduced by M. Blasdel, R. Brodehl, C. Fiscus, F. Garner, B. Harris, J. Hinkle, D. Howard, D. Kary, B. Keenan, D. Lamm, N. Schwaderer, C. Smith, J. Taylor, F. Thomas, G. Vance, D. Zolnikov, referred to Judiciary.  
**SB 321**, introduced by M. Blasdel, referred to Federal Relations, Energy, and Telecommunications.  
**SB 332**, introduced by E. Buttrey, S. Fitzpatrick, B. Hamlett, B. Hoven, T. Jacobson, W. McKamey, R. Mehlhoff, M. Moe, G. Pierson, R. Pinocci, J. Price, R. Ripley, C. Schreiner, M.

HOUSE JOURNAL  
FORTY-THIRD LEGISLATIVE DAY - FEBRUARY 25, 2015

Tropila, referred to Transportation.

**SB 344**, introduced by R. Webb, referred to Human Services.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Laszloffy in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 562** - Representative Meyers moved **HB 562** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 468** - Representative Pierson moved **HB 468** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson,

HOUSE JOURNAL  
FORTY-THIRD LEGISLATIVE DAY - FEBRUARY 25, 2015

Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 575** - Representative Burnett moved **HB 575** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 60

Nays: Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 40

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 395** - Representative D. Moore moved **HB 395** do pass. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, Burnett, Clark, Cook, Cuffe, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lang, Laszloffy, Lavin, Mandeville, McKamey, Meyers, Miller,

HOUSE JOURNAL  
FORTY-THIRD LEGISLATIVE DAY - FEBRUARY 25, 2015

Moore, Osmundson, Peppers, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, White, Zolnikov, Mr. Speaker.  
Total 45

Nays: B. Bennett, B. Brown, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Monforton, Mortensen, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Schreiner, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods.  
Total 55

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 410** - Representative Essmann moved **HB 410** do pass.

**HB 410** - Representative Essmann moved **HB 410**, second reading copy, be amended as follows:

1. Title, page 1, line 4.

**Following:** "~~OLDER~~"

**Insert:** "OLDER PERSONS,"

2. Title, page 1, line 5.

**Following:** "INCAPACITATED PERSONS"

**Insert:** ", "

3. Title, page 1, line 7.

**Following:** "~~OLDER~~"

**Insert:** "OLDER PERSONS,"

4. Title, page 1, line 8.

**Following:** "INCAPACITATED"

**Strike:** "PEOPLE"

**Insert:** "PERSONS"

**Following:** "AND"

**Strike:** "PEOPLE"

**Insert:** "PERSONS,"

5. Title, page 1, line 9.

**Following:** "EXPLOITATION OF AN"

HOUSE JOURNAL  
FORTY-THIRD LEGISLATIVE DAY - FEBRUARY 25, 2015

**Insert:** "OLDER PERSON,"  
**Following:** "INCAPACITATED PERSON"  
**Insert:** ", "

6. Page 1, line 14 through line 15.  
**Following:** "~~older~~" on line 14  
**Insert:** "older person,"  
**Following:** "INCAPACITATED person" on line 15  
**Insert:** ", "

7. Page 1, line 17.  
**Following:** "~~older~~"  
**Insert:** "older person, an"  
**Following:** "INCAPACITATED person"  
**Insert:** ", "

8. Page 1, line 19.  
**Following:** "~~older~~"  
**Insert:** "older person,"  
**Following:** "INCAPACITATED person"  
**Insert:** ", "

9. Page 1, line 21.  
**Following:** "~~older~~"  
**Insert:** "older person,"  
**Following:** "INCAPACITATED person"  
**Insert:** ", "

10. Page 1, line 25.  
**Following:** "~~older~~"  
**Insert:** "older person, the"  
**Following:** "INCAPACITATED person"  
**Insert:** ", "

11. Page 3, line 8 through line 9.  
**Strike:** ""INCAPACITATED PERSON"" on line 8 through "53-20-102" on line 9.  
**Insert:** "the following definitions apply:"  
**Insert:** "(a) "Developmental disability" has the meaning provided in 53-20-102.  
          (b) "Incapacitated person" has the meaning provided in 72-5-101.  
          (c) "Older person" means a person who is 65 years of age or older"

12. Page 3, line 11.  
**Following:** "EXPLOITATION OF"  
**Insert:** "older person,"



HOUSE JOURNAL  
FORTY-THIRD LEGISLATIVE DAY - FEBRUARY 25, 2015

**Following:** "INCAPACITATED PERSON"

**Insert:** ", "

13. Page 3, line 12.

**Following:** "EXPLOITATION OF AN"

**Insert:** "older person, an"

**Following:** "INCAPACITATED PERSON"

**Insert:** ", "

14. Page 3, line 14.

**Following:** "OBTAIN OR USE AN"

**Insert:** "older person's,"

**Following:** "INCAPACITATED PERSON'S"

**Insert:** ", "

15. Page 3, line 16.

**Following:** "DEPRIVE THE"

**Insert:** "older person,"

**Following:** "INCAPACITATED PERSON"

**Insert:** ", "

16. Page 3, line 17.

**Following:** "SOMEONE OTHER THAN THE"

**Insert:** "older person,"

**Following:** "INCAPACITATED PERSON"

**Insert:** ", "

17. Page 3, line 19.

**Following:** "CONFIDENCE WITH THE"

**Insert:** "older person,"

**Following:** "INCAPACITATED PERSON"

**Insert:** ", "

18. Page 3, line 21.

**Following:** "RELATIONSHIP WITH THE"

**Insert:** "older person,"

**Following:** "INCAPACITATED PERSON"

**Insert:** ", "

19. Page 3, line 22.

**Following:** "EXPLOITATION OF AN"

**Insert:** "older person, an"

**Following:** "INCAPACITATED PERSON"

**Insert:** ", "

HOUSE JOURNAL  
FORTY-THIRD LEGISLATIVE DAY - FEBRUARY 25, 2015

20. Page 3, line 28.

**Following:** "CONFIDENCE WITH THE"

**Insert:** "older person,"

**Following:** "INCAPACITATED PERSON"

**Insert:** ", "

21. Page 3, line 30.

**Following:** "RELATIONSHIP WITH THE"

**Insert:** "older person,"

**Following:** "INCAPACITATED PERSON"

**Insert:** ", "

22. Page 4, line 1.

**Following:** "EXPLOITATION OF AN"

**Insert:** "older person, an"

**Following:** "INCAPACITATED PERSON"

**Insert:** ", "

23. Page 4, line 4.

**Following:** "SECTION"

**Insert:** ", the following definitions apply"

24. Page 4, line 5.

**Strike:** "AND"

**Insert:** "."

25. Page 4.

**Following:** line 6

**Insert:** " (c) "older person" means a person who is 65 years of age or older."

26. Page 4, line 22 through page 5, line 4.

**Strike:** subsection (3) in its entirety

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

HOUSE JOURNAL  
FORTY-THIRD LEGISLATIVE DAY - FEBRUARY 25, 2015

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 410** - Representative Essmann moved **HB 410**, as amended, do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 90

Nays: B. Brown, Lamm, Manzella, Monforton, Mortensen, Noland, Pinocci, Tschida, Wittich, Zolnikov.

Total 10

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 450** - Representative Wagoner moved **HB 450** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

HOUSE JOURNAL  
FORTY-THIRD LEGISLATIVE DAY - FEBRUARY 25, 2015

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 42

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 504** - Representative Hayman moved **HB 504** do pass. Motion carried as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hill, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 59

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Doane, Essmann, Fiscus, Flynn, Glimm, Harris, Hess, Hollandsworth, Jones, Lamm, Lang, Laszloffy, Manzella, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 513** - Representative Person moved **HB 513** do pass. Motion carried as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers,

HOUSE JOURNAL  
FORTY-THIRD LEGISLATIVE DAY - FEBRUARY 25, 2015

Perry, Person, Pierson, Pope, Price, Redfield, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.  
Total 72

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Cuffe, Doane, Flynn, Glimm, Harris, Hess, Lamm, Lavin, Manzella, Miller, Monforton, Moore, Mortensen, Noland, Pinocci, Randall, Regier, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov.  
Total 28

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 516** - Representative MacDonald moved **HB 516** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 99

Nays: B. Brown.  
Total 1

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 515** - Representative Curdy moved **HB 515** do pass.

**HB 515** - Representative Curdy moved **HB 515**, second reading copy, be amended as follows:

1. Title, page 1, line 8.  
**Strike:** "72-2-814,"

HOUSE JOURNAL  
FORTY-THIRD LEGISLATIVE DAY - FEBRUARY 25, 2015

2. Page 1, line 29 through page 2, line 1.

**Following:** "representative" on line 29

**Strike:** "under 72-3-501" on page 1, line 29 through "representative" on page 2, line 1

**Insert:** ", except as provided in 72-3-501 and 72-3-502"

3. Page 2, line 6 through page 5, line 9.

**Strike:** section 2 in its entirety

**Renumber:** subsequent sections

4. Page 5, line 15.

**Following:** "may serve if"

**Insert:** ": (a)"

5. Page 5, line 17.

**Following:** "petitioner; or"

**Insert:** "(b) no person having priority under 72-3-502 is eligible and willing to serve; or"

6. Page 5, line 29 through line 30.

**Strike:** "the surviving" on line 29 through "(7)" on line 30

7. Page 5, line 30.

**Following:** "other"

**Insert:** "adult"

8. Page 5, following line 30.

**Insert:** "(7) the surviving parents of an adult decedent;

(8) the former spouse of a decedent if the former spouse has been appointed conservator for one or more of the decedent's minor children;"

**Renumber:** subsequent subsections

9. Page 6, line 6.

**Strike:** "(7)"

**Insert:** "(8)"

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner,

HOUSE JOURNAL  
FORTY-THIRD LEGISLATIVE DAY - FEBRUARY 25, 2015

Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 515** - Representative Curdy moved **HB 515**, as amended, do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berry, Z. Brown, Clark, Cook, Curdy, Custer, Dudik, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Greef, Hagstrom, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Noland, Noonan, Pease-Lopez, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Webber, Welborn, Williams, Woods, Mr. Speaker.  
Total 61

Nays: J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Court, Cuffe, Doane, Dunwell, Fiscus, Garner, Glimm, Hertz, Hess, Lamm, Laszloffy, MacDonald, Mandeville, Manzella, Miller, Monforton, Moore, Mortensen, Olsen, Olszewski, Osmundson, Peppers, Pinocci, Randall, Redfield, Regier, Schwaderer, Tropila, Tschida, Wagoner, White, Wilson, Wittich, Zolnikov.  
Total 39

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 518** - Representative Ehli moved **HB 518** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson,

HOUSE JOURNAL  
FORTY-THIRD LEGISLATIVE DAY - FEBRUARY 25, 2015

Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Essmann, Lamm, Mandeville, McKamey, Tropila.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 519** - Representative Glimm moved **HB 519** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Perry, Pinocci, Pope, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Webber, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 68

Nays: B. Bennett, Z. Brown, Court, Cuffe, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Karjala, Kelker, Kipp III, Lieser, MacDonald, McConnell, Olsen, Pease-Lopez, Peppers, Person, Pierson, Price, Smith, Steenberg, Swanson, Tropila, Williams, Wilson, Woods.

Total 32

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 548** - Representative Mandeville moved **HB 548** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland,



HOUSE JOURNAL  
FORTY-THIRD LEGISLATIVE DAY - FEBRUARY 25, 2015

Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 99

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: Schwaderer.  
Total 1

**HB 553** - Representative Noland moved **HB 553** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.  
Total 98

Nays: Zolnikov.  
Total 1

Excused: None.  
Total 0

Absent or not voting: Berry.  
Total 1

**HB 525** - Representative Noland moved **HB 525** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty,

HOUSE JOURNAL  
FORTY-THIRD LEGISLATIVE DAY - FEBRUARY 25, 2015

McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.  
Total 99

Nays: Zolnikov.  
Total 1

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 555** - Representative Fitzpatrick moved **HB 555** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 89

Nays: B. Brown, Hagstrom, Hertz, Manzella, Monforton, Mortensen, Noland, Pinocci, Tschida, Wittich, Zolnikov.  
Total 11

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 557** - Representative Harris moved **HB 557** do pass.

**HB 557** - Representative Redfield moved **HB 557**, second reading copy, be amended as follows:

1. Page 1, line 18.

HOUSE JOURNAL  
FORTY-THIRD LEGISLATIVE DAY - FEBRUARY 25, 2015

**Following:** ~~"Montana"~~

**Insert:** "Except as provided in subsections (2) and (7), a legal fence must be at least 42 inches but not more than 48 inches in height."

2. Page 1, line 19.

**Strike:** "at least 44 inches high"

3. Page 2, line 3.

**Strike:** "not less than 28 inches in height"

4. Page 2, line 5.

**Strike:** "at a height"

**Strike:** "at least 48 inches from the ground"

5. Page 2, line 6.

**Strike:** "at least" through "high"

6. Page 2, line 11.

**Strike:** "at least" through "high"

Amendment adopted as follows:

Yeas: B. Bennett, Z. Brown, Clark, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Greef, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Moore, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 54

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Flynn, Garner, Glimm, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Meyers, Miller, Monforton, Mortensen, Noland, Osmundson, Pinocci, Randall, Regier, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 46

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
FORTY-THIRD LEGISLATIVE DAY - FEBRUARY 25, 2015

**HB 557** - Representative Harris moved **HB 557**, as amended, do pass. Motion carried as follows:

Yeas: B. Bennett, Berglee, Z. Brown, Burnett, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 71

Nays: Ballance, J. Bennett, Berry, Brodehl, B. Brown, Cook, Cuffe, Doane, Ehli, Glimm, Hess, Lamm, Lang, Mandeville, Manzella, Monforton, Mortensen, Noland, Pinocci, Randall, Regier, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 29

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 568** - Representative Lieser moved **HB 568** do pass.

**HB 568** - Representative Lieser moved **HB 568**, second reading copy, be amended as follows:

1. Page 1, line 23.

**Following:** "intervention methods"

**Insert:** "; and

WHEREAS, because physicians and primary care physicians receive education and training in suicide prevention and related conditions during their medical training and on a continuing basis through board certification and other educational requirements, physicians are not included in the following provisions"

2. Page 1, line 30.

**Strike:** subsection (a) in its entirety

**Renumber:** subsequent subsections

3. Page 3, line 7.

**Strike:** "(a)"

4. Page 3, line 9 through line 10.

**Strike:** subsection (b) in its entirety

HOUSE JOURNAL  
FORTY-THIRD LEGISLATIVE DAY - FEBRUARY 25, 2015

5. Page 3, line 17.

**Strike:** "2017"

**Insert:** "2016"

Amendment adopted as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.  
Total 81

Nays: Ballance, B. Brown, Burnett, Doane, Ehli, Glimm, Hess, Lamm, Lavin, Manzella, Miller, Monforton, Moore, Mortensen, Noland, Schwaderer, Staffanson, Tschida, Zolnikov.  
Total 19

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 568** - Representative Lieser moved **HB 568**, as amended, do pass. Motion **failed** as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Hayman, Hill, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 48

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 52

HOUSE JOURNAL  
FORTY-THIRD LEGISLATIVE DAY - FEBRUARY 25, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 284** - Representative Dudik moved **HB 284** do pass. Motion carried as follows:

Yeas: B. Bennett, Berglee, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 74

Nays: Ballance, J. Bennett, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Fiscus, Glimm, Hess, Mandeville, Manzella, Miller, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Regier, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 26

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 330** - Representative Schwaderer moved **HB 330** do pass.

**HB 330** - Representative D. Jones moved **HB 330**, second reading copy, be amended as follows:

1. Page 3, line 23.

**Following:** "explosives" on line 23

**Strike:** ", including" on line 23 through "grenades," on line 24

2. Page 3, line 25.

**Following:** "silencers;"

**Insert:** "or"

3. Page 3, line 26.

**Strike:** subsection (e) in its entirety

**Renumber:** subsequent subsections

HOUSE JOURNAL  
FORTY-THIRD LEGISLATIVE DAY - FEBRUARY 25, 2015

4. Page 3, line 27.

**Following:** "(f)"

**Insert:** "militarized"

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Berry, Custer, Hollandsworth.

Total 3

Excused: None.

Total 0

Absent or not voting: McKamey.

Total 1

**HB 330** - Representative Schwaderer moved **HB 330**, as amended, do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Doane, Eck, Ehli, Essmann, Fiscus, Flynn, Funk, Glimm, Harris, Hayman, Hertz, Hess, Holmlund, Hunter, Jones, Lamm, Lang, Laszloffy, Lynch, Mandeville, McCarthy, McConnell, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Osmundson, Perry, Person, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Smith, Staffanson, Tropila, Tschida, Wagoner, White, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 60

Nays: Berry, Clark, Curdy, Custer, Dudik, Dunwell, Ellis, Fitzpatrick, Garner, Greef, Hagstrom, Hill, Hollandsworth, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, MacDonald, Manzella, McClafferty, Mehlhoff, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Steenberg, Swanson, Webber, Welborn, Wilson.

Total 40

HOUSE JOURNAL  
FORTY-THIRD LEGISLATIVE DAY - FEBRUARY 25, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 349** - Representative Williams moved **HB 349** do pass. Motion **failed** as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Laszloffy, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Ricci, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods.

Total 47

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Osmundson, Pinocci, Randall, Regier, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.

Total 53

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Laszloffy moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Peppers, Perry, Person, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Wilson, Wittich, Zolnikov, Mr. Speaker.

Total 88



HOUSE JOURNAL  
FORTY-THIRD LEGISLATIVE DAY - FEBRUARY 25, 2015

Nays: B. Bennett, Eck, Funk, McClafferty, Olsen, Pease-Lopez, Pierson, Smith, Tropila, Williams, Woods.

Total 11

Excused: Hill.

Total 1

Absent or not voting: None.

Total 0

House Recessed.

House Reconvened.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Laszloffy in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 397** - Representative Dudik moved **HB 397** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Lamm, McKamey, Moore, Schwaderer, Wittich.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
FORTY-THIRD LEGISLATIVE DAY - FEBRUARY 25, 2015

**HB 415** - Representative Garner moved **HB 415** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Zolnikov, Mr. Speaker.

Total 88

Nays: J. Bennett, Z. Brown, Doane, Hayman, Lamm, MacDonald, Olsen, Pease-Lopez, Smith, Wittich, Woods.

Total 11

Excused: None.

Total 0

Absent or not voting: Jones.

Total 1

**HB 444** - Representative Zolnikov moved **HB 444** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Custer, Doane, Dudik, Ehli, Essmann, Fiscus, Flynn, Funk, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kipp III, Lamm, Lang, Laszloffy, Lieser, Mandeville, Manzella, McCarthy, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Perry, Person, Pinocci, Pope, Randall, Redfield, Regier, Ricci, Richmond, Schreiner, Schwaderer, Smith, Staffanson, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wittich, Zolnikov, Mr. Speaker.

Total 75

Nays: Berry, Curdy, Dunwell, Eck, Ellis, Fitzpatrick, Garner, Hayman, Hill, Kelker, Lavin, Lynch, MacDonald, McClafferty, McConnell, Pease-Lopez, Peppers, Pierson, Price, Salomon, Shaw, Steenberg, Welborn, Wilson, Woods.

Total 25

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
FORTY-THIRD LEGISLATIVE DAY - FEBRUARY 25, 2015

**HB 445** - Representative Zolnikov moved **HB 445** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hollandsworth, Holmlund, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lieser, Mandeville, Manzella, McCarthy, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Peppers, Perry, Person, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Smith, Staffanson, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 78

Nays: Berry, Dunwell, Eck, Ellis, Hill, Hunter, Jacobson, Kipp III, Lavin, Lynch, MacDonald, McClafferty, Noonan, Pease-Lopez, Pope, Price, Salomon, Schreiner, Steenberg, Williams, Wilson, Woods.  
Total 22

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 443** - Representative Zolnikov moved **HB 443** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Shaw, Smith, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 51

Nays: B. Bennett, Berry, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 49

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
FORTY-THIRD LEGISLATIVE DAY - FEBRUARY 25, 2015

**HB 446** - Representative Wagoner moved **HB 446** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 53

Nays: B. Bennett, Z. Brown, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 47

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 454** - Representative Fitzpatrick moved **HB 454** do pass.

Representative Monforton rose to say he had a **Conflict of Interest** on HB 454 and per rules would not speak on the bill or be voting on it. Without objection, motion carried.

Representative Zolnikov objected.

The House stood at ease while Leadership and members of the Rules Committee conferred.

The House came back to order and the Chair ruled Representative Zolnikov out of order.

**HB 454** - Representative Fitzpatrick moved **HB 454** do pass. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Garner, Greef, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 55

HOUSE JOURNAL  
FORTY-THIRD LEGISLATIVE DAY - FEBRUARY 25, 2015

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Mandeville, Manzella, McKamey, Meyers, Miller, Mortensen, Noland, Olszewski, Osmundson, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 44

Excused: Monforton.

Total 1

Absent or not voting: None.

Total 0

**HB 486** - Representative Cook moved **HB 486** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Zolnikov, Mr. Speaker.

Total 93

Nays: Fitzpatrick, Hertz, Mandeville, White, Wittich, Woods.

Total 6

Excused: None.

Total 0

Absent or not voting: Harris.

Total 1

**HB 505** - Representative Monforton moved **HB 505** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.

Total 57

HOUSE JOURNAL  
FORTY-THIRD LEGISLATIVE DAY - FEBRUARY 25, 2015

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods.

Total 43

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 533** - Representative Wagoner moved **HB 533** do pass.

**HB 533** - Representative Wagoner moved **HB 533**, second reading copy, be amended as follows:

1. Title, page 1, line 10.

**Strike:** "PERSONS"

**Insert:** "EMPLOYEES"

2. Title, page 1, line 11.

**Following:** "WITH THE"

**Insert:** "WRITTEN"

3. Page 2, line 28 through line 30.

**Following:** "(d)"

**Strike:** "persons" on line 28 through "building" on line 30

**Insert:** "employees who possess a concealed weapons permit under 45-8-321 and carry the concealed weapon in a business or building with the owner's written consent or in a business or building with the written consent of a manager who is authorized by the owner to provide consent"

Amendment adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McCarthy, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 60

HOUSE JOURNAL  
FORTY-THIRD LEGISLATIVE DAY - FEBRUARY 25, 2015

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 40

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 533** - Representative Wagoner moved **HB 533**, as amended, do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Jones, Lamm, Lang, Laszloffy, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 54

Nays: B. Bennett, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Garner, Hayman, Hill, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 46

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 581** - Representative Lavin moved **HB 581** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon,

HOUSE JOURNAL  
FORTY-THIRD LEGISLATIVE DAY - FEBRUARY 25, 2015

Schwaderer, Shaw, Smith, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov,  
Mr. Speaker.  
Total 60

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill,  
Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty,  
McConnell, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope,  
Price, Schreiner, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 40

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 584** - Representative Pinocci moved **HB 584** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe,  
Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom,  
Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin,  
Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland,  
Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon,  
Schwaderer, Shaw, Smith, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov,  
Mr. Speaker.  
Total 60

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill,  
Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty,  
McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope,  
Price, Schreiner, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 40

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee  
arose. House resumed. Mr. Speaker presiding. Chair Laszloffy moved the Committee of the  
Whole report be adopted. Report adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Court,  
Cuffe, Custer, Dunwell, Eck, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef,  
Hagstrom, Harris, Hayman, Hertz, Hess, Hollandsworth, Holmlund, Jones, Karjala, Kelker,



HOUSE JOURNAL  
FORTY-THIRD LEGISLATIVE DAY - FEBRUARY 25, 2015

Lamm, Lang, Laszloffy, Lavin, Lynch, MacDonald, Mandeville, Manzella, McClafferty, McConnell, McKamey, Meyers, Miller, Moore, Noland, Olszewski, Osmundson, Peppers, Perry, Person, Pierson, Pinocci, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Tropila, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 71

Nays: B. Bennett, Z. Brown, Curdy, Doane, Dudik, Ellis, Funk, Hill, Hunter, Jacobson, Kipp III, Lieser, McCarthy, Mehlhoff, Monforton, Mortensen, Noonan, Olsen, Pease-Lopez, Pope, Price, Randall, Schreiner, Steenberg, Swanson, Webber, Williams, Wilson, Woods.  
Total 29

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 381** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Kipp III, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 59

Nays: B. Bennett, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hunter, Jacobson, Karjala, Kelker, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 40

Excused: Hill.  
Total 1

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
FORTY-THIRD LEGISLATIVE DAY - FEBRUARY 25, 2015

**HB 460** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 95

Nays: J. Bennett, Brodehl, Doane, Wilson.  
Total 4

Excused: Hill.  
Total 1

Absent or not voting: None.  
Total 0

**HB 463** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Glimm, Greef, Hagstrom, Harris, Hayman, Hess, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 92

Nays: Brodehl, Custer, Fitzpatrick, Garner, Hertz, Lavin, Regier.  
Total 7

Excused: Hill.  
Total 1

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
FORTY-THIRD LEGISLATIVE DAY - FEBRUARY 25, 2015

**HB 482** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 99

Nays: None.  
Total 0

Excused: Hill.  
Total 1

Absent or not voting: None.  
Total 0

**MOTIONS**

Majority Leader Regier moved **HB 468** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **HB 562** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **HB 575** be moved from the Committee of the Whole to the Appropriations Committee.

Representative Glimm moved to reconsider action on **HB 320** and that **HB 320** be placed on third reading on Thursday, February 26, 2015.

Motion **passed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 52

HOUSE JOURNAL  
FORTY-THIRD LEGISLATIVE DAY - FEBRUARY 25, 2015

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 48

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Representative Wagoner moved to reconsider action on **HB 535** and that **HB 535** be placed on second reading on Thursday, February 26, 2015.

Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Staffanson, Tschida, Wagoner, White, Zolnikov, Mr. Speaker.  
Total 50

Nays: B. Bennett, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Wittich, Woods.  
Total 50

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Representative McKamey moved to reconsider action on **HB 453** and that **HB 453** be placed on second reading on Thursday, February 26, 2015.

HOUSE JOURNAL  
FORTY-THIRD LEGISLATIVE DAY - FEBRUARY 25, 2015

Motion **passed** as follows:

Yeas: Ballance, B. Bennett, Berry, B. Brown, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Monforton, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Woods, Zolnikov.

Total 78

Nays: J. Bennett, Berglee, Brodehl, Cook, Essmann, Fitzpatrick, Hess, Hollandsworth, Lamm, Laszloffy, Lieser, Mandeville, Meyers, Moore, Mortensen, Osmundson, Pinocci, Randall, Regier, Welborn, Wittich, Mr. Speaker.

Total 22

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Williams moved to reconsider action on **HB 349** and that **HB 349** be placed on second reading on Thursday, February 26, 2015.

Motion **passed** as follows:

Yeas: B. Bennett, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 51

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Meyers, Monforton, Moore, Mortensen, Noland, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 49

Excused: None.

Total 0

HOUSE JOURNAL  
FORTY-THIRD LEGISLATIVE DAY - FEBRUARY 25, 2015

Absent or not voting: None.

Total 0

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 9:00 a.m., Thursday, February 26, 2015. Motion carried.

House adjourned at 5:15 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
FORTY-FOURTH LEGISLATIVE DAY**

Helena, Montana  
February 26, 2015

House Chambers  
State Capitol

House convened at 9:00 a.m. Mr. Speaker presiding. Invocation by Representative Monforton. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Mehlhoff, excused. Quorum present.

Majority Leader Regier announced the Republicans would caucus.  
Minority Leader Hunter announced the Democrats would caucus.

Representative Wilson rose on a **Point of Personal Privilege** for an apology. She stated that in her testimony the previous day she had said that landlords are vicious. She did not intend to insult anyone with her comments.

**BILLS** (Welborn, Chair):

2/26/2015

Transmitted to the Senate: **HB 381, HB 460, HB 463, HB 482.**

**MESSAGES FROM THE GOVERNOR**

February 25, 2015

The Honorable Austin Knudsen  
Speaker of the House  
State Capitol  
Helena, Montana 59620

Dear Speaker Knudsen:

Please be informed that I have signed **House Bill 26** sponsored by Representative MacDonald, **House Bill 84** sponsored by Representative B. Bennett, **House Bill 94** sponsored by Representative Flynn, and **House Bill 134** sponsored by Representative Eck on February 25, 2015.

Sincerely,

STEVE BULLOCK  
Governor

HOUSE JOURNAL  
FORTY-FOURTH LEGISLATIVE DAY - FEBRUARY 26, 2015

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 592**, introduced by T. Jacobson, M. Caferro, K. Williams, referred to Taxation.

**HB 593**, introduced by J. Essmann, referred to Judiciary.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Randall in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 166 - Senate Amendments** - Majority Leader Regier moved Senate amendments to **HB 166** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 349** - Representative Williams moved **HB 349** do pass. Motion **failed** as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers,



HOUSE JOURNAL  
FORTY-FOURTH LEGISLATIVE DAY - FEBRUARY 26, 2015

Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 44

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 56

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 453** - Representative McKamey moved **HB 453** do pass.

**HB 453** - Representative Berry moved **HB 453**, second reading copy, be amended as follows:

1. Title, page 1, line 5.

**Following:** "REINSURANCE;"

**Insert:** "REQUIRING A 5-YEAR RESERVE; CAPPING THE LINE OF CREDIT OR LOAN VALUE;"

2. Page 1, line 15.

**Strike:** "The"

**Insert:** "If the maximum permissible reserve fund amount established in 80-2-228 has been met, the"

**Following:** "loan"

**Insert:** "of up to \$100,000"

3. Page 1, line 19.

**Strike:** "whenever"

**Insert:** "only when"

4. Page 2, line 29.

**Following:** "next"

**Strike:** "year"

**Insert:** "4 years"

Amendment adopted as follows:

HOUSE JOURNAL  
FORTY-FOURTH LEGISLATIVE DAY - FEBRUARY 26, 2015

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 95

Nays: Ballance, Court, Funk, Olsen.  
Total 4

Excused: None.  
Total 0

Absent or not voting: Moore.  
Total 1

**HB 453** - Representative McKamey moved **HB 453**, as amended, do pass. Motion carried as follows:

Yeas: B. Bennett, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Zolnikov.  
Total 86

Nays: Ballance, J. Bennett, Berglee, Brodehl, Ehli, Fitzpatrick, Laszloffy, Osmundson, Pinocci, Tschida, Wagoner, White, Wittich, Mr. Speaker.  
Total 14

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
FORTY-FOURTH LEGISLATIVE DAY - FEBRUARY 26, 2015

**HB 180** - Representative B. Smith moved **HB 180** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: B. Brown, Essmann, Flynn, Miller, Monforton, Redfield, Wagoner, Wittich.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 474** - Representative Eck moved **HB 474** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 83

Nays: J. Bennett, B. Brown, Burnett, Doane, Harris, Lamm, Miller, Monforton, Mortensen, Pinocci, Redfield, Schwaderer, Staffanson, Tschida, White, Wittich, Zolnikov.

Total 17

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
FORTY-FOURTH LEGISLATIVE DAY - FEBRUARY 26, 2015

**HB 491** - Representative Lavin moved **HB 491** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 93

Nays: B. Brown, Lamm, Miller, White, Wittich, Zolnikov.

Total 6

Excused: None.

Total 0

Absent or not voting: Eck.

Total 1

**HB 507** - Representative Pierson moved **HB 507** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Dudik, Steenberg.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
FORTY-FOURTH LEGISLATIVE DAY - FEBRUARY 26, 2015

**HB 517** - Representative Essmann moved **HB 517** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 523** - Representative Berglee moved **HB 523** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 98

Nays: White.  
Total 1

Excused: None.  
Total 0

Absent or not voting: Moore.  
Total 1

HOUSE JOURNAL  
FORTY-FOURTH LEGISLATIVE DAY - FEBRUARY 26, 2015

**HB 529** - Representative Court moved **HB 529** do pass. Motion carried as follows:

Yeas: B. Bennett, Berry, B. Brown, Z. Brown, Clark, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Greef, Hagstrom, Harris, Hayman, Hill, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 63

Nays: Ballance, J. Bennett, Berglee, Brodehl, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Fiscus, Flynn, Garner, Glimm, Hertz, Hess, Hollandsworth, Jones, Lang, Laszloffy, Lavin, Manzella, Miller, Monforton, Moore, Noland, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Staffanson, Tschida, Wagoner, White, Zolnikov.

Total 37

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 549** - Representative MacDonald moved **HB 549** do pass. Motion carried as follows:

Yeas: B. Bennett, Berry, Burnett, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, White, Williams, Wilson, Woods.

Total 64

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Cuffe, Doane, Flynn, Glimm, Harris, Hertz, Hess, Holmlund, Lamm, Lang, Mandeville, Manzella, Miller, Monforton, Mortensen, Noland, Osmundson, Pinocci, Randall, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, Wittich, Zolnikov, Mr. Speaker.

Total 35

Excused: None.

Total 0

Absent or not voting: Z. Brown.

Total 1

HOUSE JOURNAL  
FORTY-FOURTH LEGISLATIVE DAY - FEBRUARY 26, 2015

**HB 554** - Representative Pierson moved **HB 554** do pass. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Court, Cuffe, Curdy, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 70

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Custer, Doane, Flynn, Glimm, Hagstrom, Hess, Lamm, Mandeville, Manzella, McKamey, Monforton, Mortensen, Noland, Olszewski, Pinocci, Redfield, Regier, Schwaderer, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 30

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 564** - Representative Person moved **HB 564** do pass. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Burnett, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 72

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Cook, Cuffe, Doane, Flynn, Glimm, Harris, Hess, Lamm, Laszloffy, Manzella, McKamey, Monforton, Mortensen, Noland, Randall, Redfield, Regier, Ricci, Schwaderer, Tschida, Wagoner, White, Wittich.

Total 28

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
FORTY-FOURTH LEGISLATIVE DAY - FEBRUARY 26, 2015

**HB 565** - Representative Wilson moved **HB 565** do pass. Motion **failed** as follows:

Yeas: B. Bennett, Berry, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 50

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Jones, Lamm, Laszloffy, Lavin, Mandeville, Manzella, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 50

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 573** - Representative Lavin moved **HB 573** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 93

Nays: Berglee, B. Brown, Harris, Hess, Manzella, Monforton, White.  
Total 7

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0



HOUSE JOURNAL  
FORTY-FOURTH LEGISLATIVE DAY - FEBRUARY 26, 2015

**HB 578** - Representative Lang moved **HB 578** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Monforton.

Total 1

**HB 580** - Representative B. Bennett moved **HB 580** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: J. Bennett, Brodehl, Doane, Ricci, White.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
FORTY-FOURTH LEGISLATIVE DAY - FEBRUARY 26, 2015

**HB 588** - Representative Cook moved **HB 588** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Wagoner.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Randall moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 93

Nays: Karjala, McCarthy, McClafferty, Tropila, Williams, Wilson, Woods.

Total 7

Excused: None.

Total 0

HOUSE JOURNAL  
FORTY-FOURTH LEGISLATIVE DAY - FEBRUARY 26, 2015

Absent or not voting: None.

Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 237** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Peppers, Tropila, Williams.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 284** passed as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 75

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Glimm, Hess, Miller, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Regier, Schwaderer,

HOUSE JOURNAL  
FORTY-FOURTH LEGISLATIVE DAY - FEBRUARY 26, 2015

Tschida, Wagoner, White, Wittich, Zolnikov.

Total 25

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 320 failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 50

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hill, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 50

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 330 passed** as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Doane, Eck, Ehli, Essmann, Fiscus, Flynn, Glimm, Hagstrom, Harris, Hayman, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lynch, Mandeville, McCarthy, McConnell, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olsen, Osmundson, Person, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Smith, Staffanson, Tropila, Tschida, Wagoner, White, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 59

Nays: Berry, Court, Curdy, Custer, Dudik, Dunwell, Ellis, Fitzpatrick, Funk, Garner, Greef, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, MacDonald, Manzella,

HOUSE JOURNAL  
FORTY-FOURTH LEGISLATIVE DAY - FEBRUARY 26, 2015

McClafferty, Mehlhoff, Noonan, Olszewski, Pease-Lopez, Peppers, Perry, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Steenberg, Swanson, Webber, Welborn, Williams, Wilson.  
Total 41

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 377** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 54

Nays: B. Bennett, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Flynn, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 46

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 397** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall,

HOUSE JOURNAL  
FORTY-FOURTH LEGISLATIVE DAY - FEBRUARY 26, 2015

Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: B. Brown, Lamm, McKamey, Moore, Schwaderer, Wittich.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 410** passed as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 91

Nays: Ballance, B. Brown, Lamm, Monforton, Mortensen, Noland, Schwaderer, Wittich, Zolnikov.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 415** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Karjala, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Perry, Person, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond,

HOUSE JOURNAL  
FORTY-FOURTH LEGISLATIVE DAY - FEBRUARY 26, 2015

Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, Wilson, Zolnikov, Mr. Speaker.

Total 75

Nays: J. Bennett, Z. Brown, Cuffe, Doane, Dudik, Hayman, Hill, Hunter, Jacobson, Kelker, Kipp III, Lamm, MacDonald, Noonan, Olsen, Pease-Lopez, Peppers, Pope, Price, Smith, Tropila, White, Williams, Wittich, Woods.

Total 25

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 443 failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Smith, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 49

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 51

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 444 passed** as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Lamm, Lang, Laszloffy, Mandeville, Manzella, McCarthy, McKamey, Mehlhoff, Meyers, Miller, Monforton,

HOUSE JOURNAL  
FORTY-FOURTH LEGISLATIVE DAY - FEBRUARY 26, 2015

Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Person, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Smith, Staffanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wittich, Zolnikov, Mr. Speaker.

Total 69

Nays: Berry, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hill, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McClafferty, McConnell, Pease-Lopez, Peppers, Perry, Pierson, Pope, Price, Salomon, Schreiner, Steenberg, Swanson, Wilson, Woods.

Total 31

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 445** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Cuffe, Custer, Doane, Dudik, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Mandeville, Manzella, McCarthy, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Person, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Smith, Staffanson, Tropila, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 62

Nays: Berry, Clark, Court, Curdy, Dunwell, Eck, Ellis, Funk, Garner, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McClafferty, McConnell, Mehlhoff, Noonan, Pease-Lopez, Peppers, Perry, Pierson, Pope, Price, Salomon, Schreiner, Steenberg, Swanson, Webber, Williams, Wilson, Woods.

Total 38

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 446** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller,



HOUSE JOURNAL  
FORTY-FOURTH LEGISLATIVE DAY - FEBRUARY 26, 2015

Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 52

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 48

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 450** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 57

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 43

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
FORTY-FOURTH LEGISLATIVE DAY - FEBRUARY 26, 2015

**HB 454** passed as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Garner, Greef, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 53

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Mandeville, Manzella, McKamey, Meyers, Miller, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 46

Excused: Monforton.

Total 1

Absent or not voting: None.

Total 0

**HB 468** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
FORTY-FOURTH LEGISLATIVE DAY - FEBRUARY 26, 2015

**HB 483** passed as follows:

Yeas: Ballance, B. Bennett, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.  
Total 83

Nays: J. Bennett, Berglee, Burnett, Doane, Fitzpatrick, Hagstrom, Hertz, Hess, Jones, Meyers, Monforton, Mortensen, Regier, Wagoner, White, Wittich, Zolnikov.  
Total 17

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 486** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Zolnikov, Mr. Speaker.  
Total 87

Nays: J. Bennett, B. Brown, Doane, Hertz, Hess, Mandeville, Manzella, Meyers, Pinocci, Redfield, White, Wittich, Woods.  
Total 13

Excused: None.  
Total 0

HOUSE JOURNAL  
FORTY-FOURTH LEGISLATIVE DAY - FEBRUARY 26, 2015

Absent or not voting: None.

Total 0

**HB 501** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 57

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 43

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 504** passed as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hill, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 64

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Essmann, Flynn, Glimm, Harris, Hess, Hollandsworth, Jones, Lamm, Lang, Laszloffy, Manzella, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Randall, Redfield, Regier, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 36

Excused: None.

Total 0

HOUSE JOURNAL  
FORTY-FOURTH LEGISLATIVE DAY - FEBRUARY 26, 2015

Absent or not voting: None.

Total 0

**HB 505** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 42

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 513** passed as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 73

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Cuffe, Doane, Flynn, Glimm, Harris, Hess, Lamm, Laszloffy, Lavin, Manzella, Miller, Moore, Mortensen, Noland, Randall, Regier, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Zolnikov.

Total 27

Excused: None.

Total 0

HOUSE JOURNAL  
FORTY-FOURTH LEGISLATIVE DAY - FEBRUARY 26, 2015

Absent or not voting: None.

Total 0

**HB 515** passed as follows:

Yeas: Ballance, B. Bennett, Berry, Z. Brown, Clark, Cook, Curdy, Custer, Dudik, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Greef, Hagstrom, Hayman, Hill, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Noonan, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 58

Nays: J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Court, Cuffe, Doane, Dunwell, Flynn, Garner, Glimm, Harris, Hertz, Hess, Hollandsworth, Lamm, Laszloffy, MacDonald, Mandeville, Manzella, Miller, Monforton, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Pease-Lopez, Pinocci, Randall, Redfield, Regier, Schwaderer, Smith, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 42

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 516** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: B. Brown, Lamm, Moore.

Total 3

Excused: None.

Total 0

HOUSE JOURNAL  
FORTY-FOURTH LEGISLATIVE DAY - FEBRUARY 26, 2015

Absent or not voting: None.

Total 0

**HB 518** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Essmann, Hayman, Lamm, Mandeville.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 519** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Custer, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Perry, Pinocci, Pope, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Webber, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 67

Nays: B. Bennett, Z. Brown, Court, Cuffe, Curdy, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, Hayman, Hill, Hunter, Karjala, Kelker, Kipp III, Lieser, MacDonald, McConnell, Olsen, Pease-Lopez, Peppers, Person, Pierson, Price, Smith, Steenberg, Swanson, Tropila, Williams, Wilson, Woods.

Total 33

Excused: None.

Total 0

HOUSE JOURNAL  
FORTY-FOURTH LEGISLATIVE DAY - FEBRUARY 26, 2015

Absent or not voting: None.

Total 0

**HB 525** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 533** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Jones, Lamm, Lang, Laszloffy, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 55

Nays: B. Bennett, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Garner, Hayman, Hill, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 45

Excused: None.

Total 0



HOUSE JOURNAL  
FORTY-FOURTH LEGISLATIVE DAY - FEBRUARY 26, 2015

Absent or not voting: None.

Total 0

**HB 548** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 553** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

HOUSE JOURNAL  
FORTY-FOURTH LEGISLATIVE DAY - FEBRUARY 26, 2015

Absent or not voting: None.

Total 0

**HB 555** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 90

Nays: Brodehl, B. Brown, Doane, Hertz, Lamm, Manzella, Monforton, Mortensen, Wittich, Zolnikov.

Total 10

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 557** passed as follows:

Yeas: B. Bennett, B. Brown, Z. Brown, Burnett, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lang, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Williams, Wilson, Woods.

Total 74

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, Cook, Cuffe, Doane, Ehli, Fitzpatrick, Glimm, Hess, Jones, Laszloffy, Mandeville, Manzella, Meyers, Miller, Monforton, Randall, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 26

HOUSE JOURNAL  
FORTY-FOURTH LEGISLATIVE DAY - FEBRUARY 26, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 562** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, Berry, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 42

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 575** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 62

Nays: Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson.

Total 38

HOUSE JOURNAL  
FORTY-FOURTH LEGISLATIVE DAY - FEBRUARY 26, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 581 failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Miller, Moore, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Wagoner, Welborn, White, Mr. Speaker.

Total 50

Nays: B. Bennett, B. Brown, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Meyers, Monforton, Mortensen, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 50

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 584 passed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 40

HOUSE JOURNAL  
FORTY-FOURTH LEGISLATIVE DAY - FEBRUARY 26, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**MOTIONS**

Majority Leader Regier moved **HB 430** be moved from the Judiciary Committee to the Local Government Committee.

Representative Pinocci moved to change their vote on **HB 454** from Yes to No. Without objection, so ordered. Representative Fitzpatrick objected. Minority Leader Hunter moved to go to the board. Representative Fitzpatrick removed his objection.

Representative Monforton moved to change their vote on **HB 454** from No to Not Voting. Without objection, so ordered.

Representative Lavin moved to reconsider action on **HB 581** and that **HB 581** be placed on second reading on this same day.

Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lang, Laszloffy, Lavin, Mandeville, McKamey, Moore, Noland, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Tschida, Welborn, White, Mr. Speaker.

Total 49

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Steenberg, Swanson, Tropila, Wagoner, Webber, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 51

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
FORTY-FOURTH LEGISLATIVE DAY - FEBRUARY 26, 2015

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 8:00 a.m., Friday, February 27, 2015. Motion carried.

House adjourned at 11:17 a.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
FORTY-FIFTH LEGISLATIVE DAY**

Helena, Montana  
February 27, 2015

House Chambers  
State Capitol

House convened at 8:00 a.m. Mr. Speaker presiding. Invocation by Representative Laszloffy. Pledge of Allegiance to the Flag. Roll Call. All members present, except Representatives Flynn and Kipp, excused. Quorum present.

**BILLS** (Welborn, Chair):

2/27/2015

Correctly enrolled: **HB 166**.

Transmitted to the Senate: **HB 180, HB 237, HB 284, HB 330, HB 377, HB 397, HB 410, HB 415, HB 444, HB 445, HB 446, HB 450, HB 453, HB 454, HB 468, HB 474, HB 483, HB 486, HB 491, HB 501, HB 504, HB 505, HB 507, HB 513, HB 515, HB 516, HB 517, HB 518, HB 519, HB 523, HB 525, HB 529, HB 533, HB 548, HB 549, HB 553, HB 554, HB 555, HB 557, HB 562, HB 564, HB 573, HB 575, HB 578, HB 580, HB 584, HB 588.**

Signed by the Speaker at 8:20 a.m., February 27, 2015: **HB 166**.

Signed by the Chief Clerk of the House at 8:26 a.m., February 27, 2015: **HB 166**.

Signed by the President at 8:30 a.m., February 27, 2015: **HB 166**.

Delivered to the Governor for approval at 8:35 a.m., February 27, 2015: **HB 166**.

**COMMUNICATIONS AND PETITIONS**

Mr. Speaker: We, your committee on Legislative Administration, having examined the daily journals for the thirty-first, thirty-second, thirty-third, thirty-fourth, and thirty-fifth legislative days, find the same to be correct.

Representative Welborn, Chair

**MESSAGES FROM THE SENATE**

**House amendments to Senate bill** concurred in:

2/25/2015

**SB 139**, introduced by Sands

**SB 329**, introduced by Connell, requiring adoption by an affirmative roll call vote of two-thirds of each house, passed the Senate and was transmitted to the House with the following vote:

2/25/2015

Yeas - 50

Nays - 0

HOUSE JOURNAL  
FORTY-FIFTH LEGISLATIVE DAY - FEBRUARY 27, 2015

**Senate bills** passed and transmitted to the House for concurrence: 2/25/2015

**SB 263**, introduced by Caferro  
**SB 270**, introduced by Taylor  
**SB 292**, introduced by Rosendale  
**SB 293**, introduced by Hamlett  
**SB 325**, introduced by Keane  
**SB 333**, introduced by Hinkle  
**SB 334**, introduced by Fielder  
**SB 335**, introduced by Tutvedt  
**SB 338**, introduced by Arntzen  
**SB 350**, introduced by C. Smith

**Senate joint resolution** passed and transmitted to the House for concurrence: 2/25/2015

**SJR 11**, introduced by Phillips

**SB 353**, introduced by Ripley, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the Senate and was transmitted to the House with the following vote:

2/26/2015

Yeas - 30  
Nays - 20

**Senate bills** passed and transmitted to the House for concurrence: 2/26/2015

**SB 258**, introduced by Hoven  
**SB 261**, introduced by Hamlett  
**SB 262**, introduced by C. Vincent  
**SB 269**, introduced by D. Ankney  
**SB 283**, introduced by J. Brenden  
**SB 318**, introduced by N. Swandal  
**SB 330**, introduced by B. Hamlett  
**SB 336**, introduced by B. Keenan  
**SB 345**, introduced by E. Arntzen  
**SB 347**, introduced by T. Facey  
**SB 351**, introduced by M. Blasdel  
**SB 356**, introduced by J. Fielder  
**SB 367**, introduced by J. Taylor  
**SB 368**, introduced by M. Rosendale  
**SB 371**, introduced by M. Blasdel  
**SB 372**, introduced by M. Blasdel  
**SB 376**, introduced by J. Brenden  
**SB 390**, introduced by E. Arntzen



HOUSE JOURNAL  
FORTY-FIFTH LEGISLATIVE DAY - FEBRUARY 27, 2015

**Senate joint resolution** passed and transmitted to the House for concurrence:

**SJR 14**, introduced by Thomas

**Senate bills** passed and transmitted to the House for concurrence:

2/26/2015

**SB 12**, introduced by Moe  
**SB 79**, introduced by Facey  
**SB 191**, introduced by Driscoll  
**SB 238**, introduced by Blasdel  
**SB 272**, introduced by Windy Boy  
**SB 286**, introduced by C. Smith  
**SB 289**, introduced by Ankney  
**SB 298**, introduced by Fielder  
**SB 307**, introduced by Stewart-Peregoy  
**SB 316**, introduced by Webb  
**SB 328**, introduced by L. Jones  
**SB 349**, introduced by C. Smith  
**SB 354**, introduced by Ripley  
**SB 355**, introduced by Ankney  
**SB 360**, introduced by Kary  
**SB 361**, introduced by Hamlett  
**SB 364**, introduced by Cohenour  
**SB 366**, introduced by Caferro  
**SB 377**, introduced by Connell  
**SB 379**, introduced by Vance  
**SB 384**, introduced by Webb  
**SB 385**, introduced by Webb  
**SB 389**, introduced by Hamlett

**Senate joint resolutions** passed and transmitted to the House for concurrence:

2/26/2015

**SJR 13**, introduced by Ankney  
**SJR 15**, introduced by Thomas  
**SJR 16**, introduced by Thomas

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 594**, introduced by S. Fitzpatrick, R. Lynch, P. Noonan, referred to State Administration.  
**HB 595**, introduced by S. Fitzpatrick, referred to Education.

HOUSE JOURNAL  
FORTY-FIFTH LEGISLATIVE DAY - FEBRUARY 27, 2015

**HB 596**, introduced by A. Knudsen, G. Bennett, B. Brown, A. Doane, C. Fiscus, B. Harris, G. Hertz, K. Holmlund, D. Lamm, S. Lavin, T. Manzella, D. Mortensen, K. Regier, S. Staffanson, B. Tschida, referred to Education.

The following Senate bills were introduced, read first time, and referred to committees:

**SB 263**, introduced by M. Caferro, referred to Human Services.

**SB 270**, introduced by J. Taylor, E. Arntzen, D. Brown, E. Buttrey, G. Hertz, M. Noland, A. Olszewski, S. Sales, F. Thomas, G. Vance, referred to Business and Labor.

**SB 292**, introduced by M. Rosendale, referred to Business and Labor.

**SB 293**, introduced by B. Hamlett, D. Ankney, Debby Barrett, G. Bennett, J. Brenden, J. Keane, E. Lieser, R. Ripley, J. Sesso, B. Tutvedt, C. Vincent, G. Vuckovich, referred to State Administration.

**SB 325**, introduced by J. Keane, referred to Natural Resources.

**SB 329**, introduced by P. Connell, referred to Natural Resources.

**SB 333**, introduced by J. Hinkle, referred to Fish, Wildlife and Parks.

**SB 334**, introduced by J. Fielder, referred to Fish, Wildlife and Parks.

**SB 335**, introduced by B. Tutvedt, C. Kaufmann, referred to Taxation.

**SB 338**, introduced by E. Arntzen, J. Brenden, referred to Transportation.

**SB 350**, introduced by C. Smith, referred to Human Services.

The following Senate joint resolution was introduced, read first time, and referred to committee:

**SJR 11**, introduced by M. Phillips, referred to Agriculture.

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 166** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, Z. Brown, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 39

HOUSE JOURNAL  
FORTY-FIFTH LEGISLATIVE DAY - FEBRUARY 27, 2015

Excused: Court, Flynn, Kipp III.

Total 3

Absent or not voting: None.

Total 0

**HB 453** passed as follows:

Yeas: B. Bennett, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Lamm, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 80

Nays: Ballance, J. Bennett, Berglee, Brodehl, Ehli, Fitzpatrick, Glimm, Jones, Laszloffy, Pinocci, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 17

Excused: Court, Flynn, Kipp III.

Total 3

Absent or not voting: None.

Total 0

**HB 180** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 84

Nays: J. Bennett, B. Brown, Burnett, Essmann, Jones, Lamm, Manzella, McKamey, Miller, Monforton, Redfield, Wagoner, Wittich.

Total 13

HOUSE JOURNAL  
FORTY-FIFTH LEGISLATIVE DAY - FEBRUARY 27, 2015

Excused: Court, Flynn, Kipp III.

Total 3

Absent or not voting: None.

Total 0

**HB 474** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 82

Nays: J. Bennett, B. Brown, Burnett, Doane, Lamm, Lang, Miller, Monforton, Mortensen, Redfield, Staffanson, Tschida, White, Wittich, Zolnikov.

Total 15

Excused: Court, Flynn, Kipp III.

Total 3

Absent or not voting: None.

Total 0

**HB 491** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 88

Nays: B. Brown, Lamm, Manzella, Miller, Monforton, Pinocci, White, Wittich, Zolnikov.

Total 9

HOUSE JOURNAL  
FORTY-FIFTH LEGISLATIVE DAY - FEBRUARY 27, 2015

Excused: Court, Flynn, Kipp III.

Total 3

Absent or not voting: None.

Total 0

**HB 507** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Dudik, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Dunwell, Steenberg.

Total 2

Excused: Court, Flynn, Kipp III.

Total 3

Absent or not voting: None.

Total 0

**HB 517** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: None.

Total 0

HOUSE JOURNAL  
FORTY-FIFTH LEGISLATIVE DAY - FEBRUARY 27, 2015

Excused: Court, Flynn, Kipp III.

Total 3

Absent or not voting: None.

Total 0

**HB 523** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: White.

Total 1

Excused: Court, Flynn, Kipp III.

Total 3

Absent or not voting: None.

Total 0

**HB 529** passed as follows:

Yeas: B. Bennett, B. Brown, Z. Brown, Clark, Curdy, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Greef, Hagstrom, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Lamm, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 63

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Fiscus, Garner, Glimm, Hertz, Hess, Jones, Lang, Laszloffy, Lavin, Manzella, Miller, Moore, Noland, Randall, Redfield, Regier, Ricci, Richmond, Staffanson, Tschida, Wagoner, White, Zolnikov.

Total 34

HOUSE JOURNAL  
FORTY-FIFTH LEGISLATIVE DAY - FEBRUARY 27, 2015

Excused: Court, Flynn, Kipp III.

Total 3

Absent or not voting: None.

Total 0

**HB 549** passed as follows:

Yeas: B. Bennett, Berry, Z. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Funk, Garner, Greef, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Moore, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 58

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Doane, Ehli, Fitzpatrick, Glimm, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Manzella, Meyers, Miller, Monforton, Mortensen, Noland, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 39

Excused: Court, Flynn, Kipp III.

Total 3

Absent or not voting: None.

Total 0

**HB 554** passed as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cuffe, Curdy, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Funk, Garner, Greef, Hagstrom, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Mr. Speaker.

Total 65

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Custer, Doane, Fitzpatrick, Glimm, Harris, Hertz, Hess, Lamm, Manzella, Miller, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Schwaderer, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov.

Total 32

HOUSE JOURNAL  
FORTY-FIFTH LEGISLATIVE DAY - FEBRUARY 27, 2015

Excused: Court, Flynn, Kipp III.

Total 3

Absent or not voting: None.

Total 0

**HB 564** passed as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 66

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Glimm, Harris, Hertz, Hess, Lamm, Lang, Laszloffy, Manzella, Meyers, Monforton, Mortensen, Noland, Pinocci, Randall, Redfield, Regier, Ricci, Tschida, Wagoner, Welborn, White, Wittich.

Total 31

Excused: Court, Flynn, Kipp III.

Total 3

Absent or not voting: None.

Total 0

**HB 573** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: Harris, Hess, Pinocci, White.

Total 4



HOUSE JOURNAL  
FORTY-FIFTH LEGISLATIVE DAY - FEBRUARY 27, 2015

Excused: Court, Flynn, Kipp III.

Total 3

Absent or not voting: None.

Total 0

**HB 578** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: None.

Total 0

Excused: Court, Flynn, Kipp III.

Total 3

Absent or not voting: None.

Total 0

**HB 580** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 87

Nays: J. Bennett, Brodehl, Doane, Fiscus, Glimm, Manzella, Miller, Pinocci, Ricci, White.

Total 10

HOUSE JOURNAL  
FORTY-FIFTH LEGISLATIVE DAY - FEBRUARY 27, 2015

Excused: Court, Flynn, Kipp III.  
Total 3

Absent or not voting: None.  
Total 0

**HB 588** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 97

Nays: None.  
Total 0

Excused: Court, Flynn, Kipp III.  
Total 3

Absent or not voting: None.  
Total 0

**MOTIONS**

Representative Pease-Lopez moved to change their vote on **HB 166** from Yes to No. Without objection, so ordered.

**SPECIAL ORDERS OF THE DAY**

Representative Wagoner thanked the pages for their service.

HOUSE JOURNAL  
FORTY-FIFTH LEGISLATIVE DAY - FEBRUARY 27, 2015

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Thursday, March 5, 2015.  
Motion carried.

House adjourned at 8:16 a.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
FORTY-SIXTH LEGISLATIVE DAY**

Helena, Montana  
March 5, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Jerry Bennett. Pledge of Allegiance to the Flag and Representative McKamey played the National Anthem on the piano. Roll Call. All members present, except Representatives Doane, Fiscus, Hollandsworth, Jacobson, and Price, excused. Quorum present.

**BILLS** (Welborn, Chair):

3/5/2015

Correctly printed: **SB 53, SB 119.**

**LEGISLATIVE ADMINISTRATION** (Welborn, Chair):

3/5/2015

MR. SPEAKER:

We, your committee on Legislative Administration recommend that employment of the following pages of the House be ceased as of 12:00 p.m., Friday, February 27, 2015:

Hannah Fischer, Helena  
Thomas Whyte, Helena  
Autumn Webber, Browning  
Tanner Marks, Helena  
Mariah Welch, Billings  
Laynee Frost, East Helena  
Aubry Bair, Townsend  
Erin Johnson, Missoula

and recommend that the following pages of the House be employed as of 1:00 p.m., Thursday, March 5, 2015:

Braden Scherting, Clancy  
Christian Palmer, Helena  
Noah Seigel, Havre  
Dayah Dover, Billings  
Julia Sanderson, Polson  
Kellon Dantic, Missoula  
Marki Dauenhauer, Butte

Report Adopted.

**REPORTS OF STANDING COMMITTEES**

**BUSINESS AND LABOR** (Berry, Chair):

3/5/2015

**SB 53**, be concurred in. Report adopted.

**SB 119**, be concurred in. Report adopted.

HOUSE JOURNAL  
FORTY-SIXTH LEGISLATIVE DAY - MARCH 5, 2015

**MESSAGES FROM THE GOVERNOR**

February 27, 2015

The Honorable Austin Knudsen  
Speaker of the House  
State Capitol  
Helena, Montana 59620

Dear Speaker Knudsen:

Please be informed that I have signed **House Bill 27** sponsored by Representative Hayman, **House Bill 38** sponsored by Representative Schreiner, **House Bill 74** sponsored by Representative Lynch, **House Bill 103** sponsored by Representative Z. Brown, **House Bill 128** sponsored by Representative Hill, **House Bill 147** sponsored by Representative Wittich, **House Bill 157** sponsored by Representative Perry, **House Bill 195** sponsored by Representative McConnell, and **House Bill 248** sponsored by Representative Holmlund on February 27, 2015.

Sincerely,

STEVE BULLOCK  
Governor

**FIRST READING AND COMMITMENT OF BILLS**

The following House joint resolution was introduced, read first time, and referred to committee:

**HJR 20**, introduced by M. Dunwell, referred to Business and Labor.

The following Senate bills were introduced, read first time, and referred to committees:

**SB 12**, introduced by M. Moe (by request of the Office of Public Instruction), referred to Education.

**SB 79**, introduced by T. Facey (by request of the Department of Labor and Industry), referred to Business and Labor.

**SB 191**, introduced by R. Driscoll, referred to State Administration.

**SB 238**, introduced by M. Blasdel, J. Cohenour, R. Driscoll, F. Garner, P. Noonan, R. Ripley, C. Schreiner, J. Sesso, R. Webb, referred to State Administration.

**SB 258**, introduced by B. Hoven, referred to Business and Labor.

**SB 261**, introduced by B. Hamlett, P. Connell, M. Lang, F. Moore, R. Shaw, referred to Natural Resources.

**SB 262**, introduced by C. Vincent, P. Connell, S. Fitzpatrick, B. Hamlett, S. Stewart-Peregoy, K. Williams, referred to Judiciary.

**SB 269**, introduced by D. Ankney, B. Tutvedt, referred to Taxation.

HOUSE JOURNAL  
FORTY-SIXTH LEGISLATIVE DAY - MARCH 5, 2015

**SB 272**, introduced by J. Windy Boy, B. Hamlett, R. Mehlhoff, S. Stewart-Peregoy, F. Thomas, L. Whitford, referred to Education.

**SB 283**, introduced by J. Brenden, M. Blasdel, R. Brodehl, D. Howard, J. Keane, M. Lang, M. Miller, F. Moore, R. Osmundson, A. Redfield, T. Richmond, R. Ripley, M. Rosendale, C. Smith, F. Thomas, R. Webb, K. White, referred to State Administration.

**SB 286**, introduced by C. Smith, Debby Barrett, G. Bennett, S. Berglee, D. Brown, C. Fiscus, F. Garner, B. Harris, G. Hertz, J. Hinkle, A. Knudsen, F. Mandeville, T. Manzella, M. Miller, D. Moore, F. Moore, D. Mortensen, R. Osmundson, L. Randall, A. Redfield, K. Regier, M. Rosendale, N. Schwaderer, N. Swandal, J. Taylor, G. Vance, D. Zolnikov, referred to State Administration.

**SB 298**, introduced by J. Fielder, referred to Judiciary.

**SB 307**, introduced by S. Stewart-Peregoy, S. Webber, L. Whitford, J. Windy Boy, referred to Business and Labor.

**SB 316**, introduced by R. Webb, referred to Human Services.

**SB 318**, introduced by N. Swandal, referred to Judiciary.

**SB 328**, introduced by L. Jones, D. Ankney, J. Brenden, Z. Brown, C. Clark, R. Cook, T. Facey, B. Hamlett, R. Hollandsworth, T. Jacobson, D. Jones, J. Karjala, J. Keane, B. Keenan, E. McClafferty, R. Mehlhoff, F. Moore, G. Pierson, J. Pomnichowski, R. Ripley, M. Rosendale, D. Salomon, J. Sesso, N. Swandal, K. Swanson, T. Woods, referred to Education.

**SB 330**, introduced by B. Hamlett, G. Bennett, P. Connell, S. Fitzpatrick, G. Kipp, R. Mehlhoff, S. Stewart-Peregoy, C. Vincent, K. White, J. Windy Boy, referred to Natural Resources.

**SB 336**, introduced by B. Keenan, referred to Human Services.

**SB 345**, introduced by E. Arntzen, referred to Education.

**SB 347**, introduced by T. Facey, referred to Business and Labor.

**SB 349**, introduced by C. Smith, referred to Human Services.

**SB 351**, introduced by M. Blasdel, referred to Business and Labor.

**SB 353**, introduced by R. Ripley, referred to Natural Resources.

**SB 354**, introduced by R. Ripley, referred to Natural Resources.

**SB 355**, introduced by D. Ankney, referred to Natural Resources.

**SB 356**, introduced by J. Fielder, referred to Judiciary.

**SB 360**, introduced by D. Kary, E. Arntzen, T. Brown, N. Swandal, R. Webb, referred to Judiciary.

**SB 361**, introduced by B. Hamlett, P. Connell, referred to Natural Resources.

**SB 364**, introduced by J. Cohenour, Debby Barrett, B. Hamlett, referred to State Administration.

**SB 366**, introduced by M. Caferro, referred to Human Services.

**SB 367**, introduced by J. Taylor, M. Blasdel, referred to Appropriations.

**SB 368**, introduced by M. Rosendale, referred to Federal Relations, Energy, and Telecommunications.

**SB 371**, introduced by M. Blasdel, referred to Judiciary.

**SB 372**, introduced by M. Blasdel, referred to Judiciary.

**SB 376**, introduced by J. Brenden, referred to Appropriations.

**SB 377**, introduced by P. Connell, referred to Business and Labor.

**SB 379**, introduced by G. Vance, referred to Business and Labor.

**SB 384**, introduced by R. Webb, referred to Judiciary.

HOUSE JOURNAL  
FORTY-SIXTH LEGISLATIVE DAY - MARCH 5, 2015

**SB 385**, introduced by R. Webb, referred to Judiciary.

**SB 389**, introduced by B. Hamlett, P. Connell, S. Stewart-Peregoy, referred to Natural Resources.

**SB 390**, introduced by E. Arntzen, referred to Business and Labor.

The following Senate joint resolutions were introduced, read first time, and referred to committees:

**SJR 13**, introduced by D. Ankney, E. Arntzen, Debby Barrett, M. Blasdel, J. Brenden, D. Brown, T. Brown, E. Buttrey, P. Connell, B. Hamlett, K. Hansen, J. Hinkle, B. Hoven, D. Howard, L. Jones, D. Kary, J. Keane, F. Moore, R. Ripley, M. Rosendale, S. Sales, C. Smith, N. Swandal, J. Taylor, F. Thomas, B. Tutvedt, G. Vance, G. Vuckovich, R. Webb, J. Windy Boy, referred to Federal Relations, Energy, and Telecommunications.

**SJR 14**, introduced by F. Thomas, A. Olszewski, referred to Human Services.

**SJR 15**, introduced by F. Thomas, B. Tutvedt, referred to Taxation.

**SJR 16**, introduced by F. Thomas, Debby Barrett, J. Essmann, K. Hansen, L. Jones, B. Keenan, A. Knudsen, M. Phillips, referred to Rules.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Holmlund in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 89** - Representative Dudik moved **HB 89** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Lamm, Wittich.

Total 2

HOUSE JOURNAL  
FORTY-SIXTH LEGISLATIVE DAY - MARCH 5, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 156** - Representative Miller moved **HB 156** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Dudik, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kipp III, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Zolnikov, Mr. Speaker.

Total 83

Nays: B. Bennett, Court, Dunwell, Eck, Funk, Hayman, Kelker, Lamm, Lieser, MacDonald, Monforton, Olsen, Peppers, Williams, Wilson, Wittich, Woods.

Total 17

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 223** - Representative Clark moved **HB 223** do pass. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 76

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Fitzpatrick, Flynn, Glimm, Harris, Jones, Lamm, Manzella, Monforton, Moore, Mortensen, Olsen, Schwaderer, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 24



HOUSE JOURNAL  
FORTY-SIXTH LEGISLATIVE DAY - MARCH 5, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 228** - Representative Berry moved **HB 228** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 88

Nays: B. Bennett, B. Brown, Burnett, Hagstrom, Hayman, Karjala, Lamm, Monforton, Olsen, Tropila, Tschida, Wittich.

Total 12

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 363** - Representative Funk moved **HB 363** do pass. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hagstrom, Harris, Hayman, Hill, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, White, Williams, Wilson, Woods, Zolnikov.

Total 61

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hertz, Hess, Hollandsworth, Jones, Lamm, Lang, Laszloffy, Lavin, Manzella, Monforton, Mortensen, Noland, Osmundson, Pinocci, Randall, Redfield, Regier, Staffanson, Tschida, Wagoner, Welborn, Wittich, Mr. Speaker.

Total 39

HOUSE JOURNAL  
FORTY-SIXTH LEGISLATIVE DAY - MARCH 5, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 367** - Representative Custer moved **HB 367** do pass. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hill, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Webber, Welborn, Williams, Wilson, Woods.

Total 58

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Fiscus, Flynn, Glimm, Hertz, Hess, Hollandsworth, Jones, Lamm, Laszloffy, Lavin, Mandeville, Manzella, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Schwaderer, Staffanson, Tropila, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 42

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 481** - Representative Hunter moved **HB 481** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

HOUSE JOURNAL  
FORTY-SIXTH LEGISLATIVE DAY - MARCH 5, 2015

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Holmlund moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Holmlund, Hunter, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 94

Nays: B. Brown.  
Total 1

Excused: Doane, Fiscus, Hollandsworth, Jacobson, Price.  
Total 5

Absent or not voting: None.  
Total 0

**MOTIONS**

Majority Leader Regier moved **HB 156** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **HB 228** be moved from the Committee of the Whole to the Appropriations Committee. Minority Leader Hunter questioned the re-referral of HB 228 to Appropriations, after discussion Majority Leader Regier withdrew his re-referral.

HOUSE JOURNAL  
FORTY-SIXTH LEGISLATIVE DAY - MARCH 5, 2015

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Friday, March 6, 2015.  
Motion carried.

House adjourned at 2:04 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
FORTY-SEVENTH LEGISLATIVE DAY**

Helena, Montana  
March 6, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Representative Laszloffy introduced Pastor Jacob Schreiner who gave the Invocation. Pledge of Allegiance to the Flag. Roll Call. All members present, except Representatives Doane, Fiscus, and Olsen, excused. Quorum present.

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 597**, introduced by M. Dunwell, referred to Appropriations.

**HB 598**, introduced by M. Monforton, referred to Judiciary.

**HB 599**, introduced by L. Randall, referred to Transportation.

The following House joint resolution was introduced, read first time, and referred to committee:

**HJR 21**, introduced by B. Bennett, D. Lamm, A. Olsen, N. Schwaderer, D. Zolnikov, referred to Judiciary.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Ricci in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 219** - Representative Essmann moved **HB 219** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hollandsworth, Holmlund, Jacobson, Jones, Karjala, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Peppers, Perry, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Tropila, Tschida, Wagoner, Welborn, White, Williams, Wittich, Zolnikov, Mr. Speaker.

Total 71

HOUSE JOURNAL  
FORTY-SEVENTH LEGISLATIVE DAY - MARCH 6, 2015

Nays: J. Bennett, Brodehl, B. Brown, Burnett, Court, Cuffe, Curdy, Dudik, Dunwell, Eck, Ellis, Hagstrom, Hess, Hill, Hunter, Kelker, Lieser, MacDonald, Noonan, Olsen, Osmundson, Pease-Lopez, Person, Pope, Price, Swanson, Webber, Wilson, Woods.

Total 29

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 245** - Representative Ballance moved **HB 245** do pass.

**HB 245** - Representative Hayman moved **HB 245**, second reading copy, be amended as follows:

1. Title, line 9.

**Strike:** "WARNING" through "ISSUES"

**Insert:** "NOTICE THAT THE PRODUCT HAS NOT BEEN PASTURIZED OR INSPECTED;  
PROVIDING THAT THE CONSUMER HAS A CAUSE OF ACTION UNDER CERTAIN  
CIRCUMSTANCES;"

2. Page 4, line 4 through line 5.

**Following:** "MONTANA." on line 4

**Strike:** "THE" on line 4 through "PRODUCT." on line 5

3. Page 4, line 12 through line 13.

**Following:** "MONTANA."

**Strike:** "THE" on line 12 through "PRODUCT." on line 13

4. Page 4.

**Following:** line 15

**Insert:** "(5) A person who consumes raw milk or raw milk products purchased under this section has a cause of action against the permittee if the consumption of the milk or milk products results in health issues or illness."

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 43

HOUSE JOURNAL  
FORTY-SEVENTH LEGISLATIVE DAY - MARCH 6, 2015

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McCarthy, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Person, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 57

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 245** - Representative Redfield moved **HB 245**, second reading copy, be amended as follows:

1. Page 1, line 17.  
**Strike:** "21, part 4 or 5"  
**Insert:** "22"

2. Page 1, line 18.  
**Strike:** "21, part 4 or 5"  
**Insert:** "22"

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 98

Nays: Tropila.  
Total 1

Excused: None.  
Total 0

HOUSE JOURNAL  
FORTY-SEVENTH LEGISLATIVE DAY - MARCH 6, 2015

Absent or not voting: Welborn.

Total 1

**HB 245** - Representative Ballance moved **HB 245**, as amended, do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Cuffe, Custer, Doane, Eck, Ehli, Essmann, Fiscus, Flynn, Funk, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jacobson, Jones, Karjala, Kipp III, Lamm, Lang, Laszloffy, Lavin, MacDonald, Manzella, McCarthy, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Osmundson, Peppers, Person, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 66

Nays: B. Bennett, Clark, Cook, Court, Curdy, Dudik, Dunwell, Ellis, Fitzpatrick, Garner, Hayman, Hill, Hollandsworth, Hunter, Kelker, Lieser, Lynch, Mandeville, McClafferty, Moore, Noonan, Olsen, Olszewski, Pease-Lopez, Perry, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Wilson.

Total 34

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 422** - Representative Ehli moved **HB 422** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Olsen, Wittich.

Total 2



HOUSE JOURNAL  
FORTY-SEVENTH LEGISLATIVE DAY - MARCH 6, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 429** - Representative Hill moved **HB 429** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Lamm, Lavin, Pierson, Pinocci, Tschida.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 431** - Representative Dunwell moved **HB 431** do pass.

**HB 431** - Representative Dunwell moved **HB 431**, second reading copy, be amended as follows:

1. Page 2, line 9 through line 10.

**Strike:** "**PRIVATE**" on line 9 through "**PURPOSE**" on line 10

**Insert:** "special revenue"

2. Page 2, line 16.

**Following:** "revenue"

**Strike:** remainder of line 16

**Insert:** "special revenue account"

Amendment adopted as follows:

HOUSE JOURNAL  
FORTY-SEVENTH LEGISLATIVE DAY - MARCH 6, 2015

Yeas: Ballance, B. Bennett, Berglee, Z. Brown, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 82

Nays: J. Bennett, Berry, Brodehl, B. Brown, Burnett, Cuffe, Flynn, Glimm, Hess, Jones, Lamm, Noland, Pinocci, Schwaderer, Staffanson, White, Wittich, Zolnikov.

Total 18

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 431** - Representative Dunwell moved **HB 431**, as amended, do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Brodehl, Z. Brown, Clark, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Woods, Mr. Speaker.

Total 84

Nays: J. Bennett, Berglee, Berry, B. Brown, Burnett, Cook, Cuffe, Flynn, Monforton, Randall, Redfield, Schwaderer, Staffanson, Welborn, Wittich, Zolnikov.

Total 16

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
FORTY-SEVENTH LEGISLATIVE DAY - MARCH 6, 2015

**HB 478** - Representative Williams moved **HB 478**, as amended, do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 92

Nays: J. Bennett, Cuffe, Hess, Jones, Mortensen, Wagoner, Wittich, Zolnikov.  
Total 8

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Ricci moved the Committee of the Whole report be adopted. Report adopted unanimously.

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 95

Nays: Fitzpatrick, Tropila.  
Total 2

Excused: Doane, Fiscus, Olsen.  
Total 3

HOUSE JOURNAL  
FORTY-SEVENTH LEGISLATIVE DAY - MARCH 6, 2015

Absent or not voting: None.

Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 89** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Burnett, Lamm, Wittich.

Total 3

Excused: Doane, Fiscus, Olsen.

Total 3

Absent or not voting: None.

Total 0

**HB 223** passed as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Noland, Noonan, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 74

HOUSE JOURNAL  
FORTY-SEVENTH LEGISLATIVE DAY - MARCH 6, 2015

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Fitzpatrick, Flynn, Glimm, Harris, Jones, Lamm, Laszloffy, Manzella, Monforton, Moore, Mortensen, Osmundson, Schwaderer, Wagoner, White, Wittich, Zolnikov.

Total 23

Excused: Doane, Fiscus, Olsen.

Total 3

Absent or not voting: None.

Total 0

**HB 228** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 86

Nays: B. Brown, Burnett, Dudik, Hayman, Lamm, MacDonald, Monforton, Person, Tropila, Tschida, Wittich.

Total 11

Excused: Doane, Fiscus, Olsen.

Total 3

Absent or not voting: None.

Total 0

**HB 363** passed as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Greef, Hagstrom, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Moore, Noonan, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Zolnikov.

Total 58

HOUSE JOURNAL  
FORTY-SEVENTH LEGISLATIVE DAY - MARCH 6, 2015

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Harris, Hertz, Hess, Jones, Lamm, Lang, Laszloffy, Lavin, Manzella, McKamey, Meyers, Monforton, Mortensen, Noland, Osmundson, Pinocci, Randall, Redfield, Regier, Staffanson, Tschida, Wagoner, White, Wittich, Mr. Speaker.

Total 39

Excused: Doane, Fiscus, Olsen.

Total 3

Absent or not voting: None.

Total 0

**HB 367** passed as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fitzpatrick, Funk, Garner, Greef, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Noonan, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Webber, Welborn, Williams, Wilson, Woods.

Total 61

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Cuffe, Essmann, Flynn, Glimm, Hagstrom, Harris, Hertz, Jones, Lamm, Laszloffy, Lavin, Manzella, Miller, Monforton, Moore, Mortensen, Noland, Osmundson, Pinocci, Randall, Redfield, Regier, Schwaderer, Staffanson, Tropila, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 36

Excused: Doane, Fiscus, Olsen.

Total 3

Absent or not voting: None.

Total 0

**HB 481** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci,

HOUSE JOURNAL  
FORTY-SEVENTH LEGISLATIVE DAY - MARCH 6, 2015

Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: None.

Total 0

Excused: Doane, Fiscus, Olsen.

Total 3

Absent or not voting: None.

Total 0

**MOTIONS**

Majority Leader Regier moved **HB 219** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **HB 245** be moved from the Committee of the Whole to the Appropriations Committee.

Representative Olsen moved to change their vote on **HB 245** from Yes to No. Without objection, so ordered.

**SPECIAL ORDERS OF THE DAY**

The Speaker recognized Minority Leader Hunter who read the following Joint Proclamation by the Montana House and Senate:

**A JOINT PROCLAMATION OF THE MONTANA LEGISLATURE**

**WHEREAS**, *Since opening its doors in Gold Creek, Montana in 1995, Camp Mak-A-Dream has provided a "Montana Experience" to children and adults diagnosed with cancer and their families; and*

**WHEREAS**, *Camp Mak-A-Dream has strong partnerships with hospitals across the Country including St. Jude Children's Hospital, Seattle Children's Hospital, Cook Children's Medical Center and Hershey Medical Center, among others; and*

**WHEREAS**, *Camp Mak-A-Dream has served over 6,000 participants from 49 states and 8 foreign countries with 11 camp and retreat programs per year, with 50 campers each session; and*

**WHEREAS**, *Camp Mak-A-Dream is one of only a few oncology camps that serves a national*

HOUSE JOURNAL  
FORTY-SEVENTH LEGISLATIVE DAY - MARCH 6, 2015

*and international population who are currently in the midst of treatment;*

**WHEREAS,** *Since 1998, 100 campers, volunteers and staff have the opportunity each year to participate in the Shooting Star float trip down the Clark Fork, Missouri or Blackfoot rivers, founded by Chuck Mazurek and funded by individuals and businesses in the Butte, Helena, Great Falls and Missoula areas; and*

**WHEREAS;** *2015 marks the 20-year anniversary of Camp Mak-A-Dream, complete with a Health Center facility and a new Wellness Center; and*

**THEREFORE,** *be it resolved that the Legislature of the State of Montana recognizes and commends Camp Mak-A-Dream for their kindness, care and compassion in enhancing the lives of cancer patients by fulfilling their “dream” with a memorable Montana Experience for the past 20 years.*

Representative Schreiner introduced guests from the School for the Deaf and Blind, located in Great Falls, Montana. The children performed two songs and received a certificate of Honorary Membership to the House. The Speaker thanked the guests for their performance and Sargent-at-Arms Lenz escorted them from the Chamber.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Monday, March 9, 2015. Motion carried.

House adjourned at 2:58 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House



**HOUSE JOURNAL  
64TH LEGISLATURE  
FORTY-EIGHTH LEGISLATIVE DAY**

Helena, Montana  
March 9, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Hagstrom. Pledge of Allegiance to the Flag. Roll Call. All members present, except Representative Meyers, excused. Quorum present.

**BILLS** (Welborn, Chair): 3/9/2015

Correctly engrossed: **HB 379, HB 411.**

Transmitted to the Senate: **HB 89, HB 223, HB 228, HB 363, HB 367, HB 481.**

**LEGISLATIVE ADMINISTRATION** (Welborn, Chair): 3/9/2015

MR. SPEAKER:

We, your committee on Legislative Administration recommend that employment of the following pages of the House be ceased as of 12:00 p.m., Friday, March 6, 2015:

Braden Scherting, Clancy  
Christian Palmer, Helena  
Noah Seigel, Havre  
Dayah Dover, Billings  
Julia Sanderson, Polson  
Kellon Dantic, Missoula  
Marki Dauenhauer, Butte

and recommend that the following pages of the House be employed as of 1:00 p.m., Monday, March 9, 2015:

Nichole Lake, Polson  
Emma Carlson, Helena  
Andriy Proctor, Helena  
Marcus Hughes, Helena  
Chase Smith, Helena  
Faith Scow, Helena  
Mary Claire Miltenberger, Clancy  
Canyon Hohenstein, Belgrade

Report Adopted.

**REPORTS OF STANDING COMMITTEES**

**JUDICIARY** (Bennett, Chair): 3/9/2015

**HB 587**, do pass. Report adopted.

HOUSE JOURNAL  
FORTY-EIGHTH LEGISLATIVE DAY - MARCH 9, 2015

**TAXATION** (Miller, Chair):

3/9/2015

**HB 379**, introduced bill, be amended as follows:

1. Title, page 1, line 16.

**Following:** "EFFECTIVE DATES"

**Insert:** ", "

**Strike:** "AND"

**Following:** "APPLICABILITY DATES"

**Insert:** ", AND A TERMINATION DATE"

2. Page 4, line 22.

**Strike:** "For"

**Insert:** "(A) For individual income taxes not paid when due, including delinquent taxes and deficiency assessments, the interest rate is equal to the underpayment rate for individual taxpayers established by the secretary of the United States department of the treasury pursuant to section 6621 of the Internal Revenue Code, 26 U.S.C. 6621, for the fourth quarter of the preceding year or 8%, whichever is greater.

(B) Beginning January 1, 2018, for"

3. Page 20, line 26 through line 27.

**Strike:** ":", on line 26 through "(a)" on line 27

4. Page 20, line 27 through 30.

**Strike:** ":", on line 27 through "owed" on line 30

5. Page 21, line 2.

**Following:** line 2

**Insert:** "NEW SECTION. **Section 17. Termination.** [Section 15-1-216(7)(a)(i)(A)] terminates December 31, 2017."

And, as amended, do pass. Report adopted.

**HB 411**, introduced bill, be amended as follows:

1. Title, page 1, line 5.

**Strike:** "AND"

2. Title, page 1, line 6.

**Following:** "MCA"

**Insert:** "; AND PROVIDING AN EFFECTIVE DATE"

3. Page 4, line 16.

**Following:** line 15

**Insert:** "NEW SECTION. **Section 2. Effective date.** [This act] is effective July 1, 2015."

HOUSE JOURNAL  
FORTY-EIGHTH LEGISLATIVE DAY - MARCH 9, 2015

And, as amended, do pass. Report adopted.

**HB 421**, do pass. Report adopted.

**ADVERSE COMMITTEE REPORT**

**HUMAN SERVICES** (Wittich, Chair):

3/6/2015

**HB 249**, do not pass.

Minority Leader Hunter rose on a **Point of Privilege of the House**. First, he voiced his disappointment on not being recognized by the Speaker as soon as he arose. He continued with the following comments:

An Adverse Committee Report on **HB 249** was read across the rostrum. Minority Leader Hunter alleged procedural defects in that hearing that he wished to address and also, raised some issues about the conduct in the House of Representatives with regards to the action.

Minority Leader Hunter went through certain sections of the Rules, the House Rules and Mason's Manual of Legislative Procedure which were germane. He asked the members of the body to consider carefully the rules that identify how business is conducted in the House.

He cited HR 70-40, Mason's Manual of Legislative Procedure Sections 52, 60, 90 and HR 30-50 Part 15.

Minority Leader Hunter alleged that these standards weren't followed during the March 6th executive action on HB 249, and that House rules were violated during that executive action.

Minority Leader Hunter renewed his objection to the Adverse Committee Report on **HB 249** on constitutional grounds.

Mr. Speaker noted the objection.

**MESSAGES FROM THE GOVERNOR**

March 6, 2015

The Honorable Austin Knudsen  
Speaker of the House  
State Capitol  
Helena, MT 59620

The Honorable Debby Barrett  
President of the Senate  
State Capitol  
Helena, MT 59620

HOUSE JOURNAL  
FORTY-EIGHTH LEGISLATIVE DAY - MARCH 9, 2015

Dear Speaker Knudsen and President Barrett:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 166 (HB 166), "AN ACT LOWERING INDIVIDUAL INCOME TAX RATES; AMENDING SECTION 15-30-2103, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE AND AN APPLICABILITY DATE."

Under our current tax climate, Montana's economy is thriving. Over the past two years our unemployment rate has fallen by 25 percent to 4.2 percent, almost a point and a half below the national average. We are the 5th fastest state for employment growth in the nation. In 2013 every industry added jobs, and our GDP expanded by 4.5 percent.

The budget I presented to the 64th session of the Legislature balances our budget without raising taxes. It builds upon the fiscally responsible management that has served our state so well and makes responsible and sustainable investments in education, health care and infrastructure that will benefit Montanans for generations to come, and it sets some money aside for an unexpected rainy day.

History has a way of repeating itself - at the end of the 2013 legislative session I had to veto \$150 million in expenditures that would have left our budget unbalanced and put at risk Montana's fiscal health. I would not think the Legislature would want to go down that path again.

Yet at the half way point of the session, the Legislature, controlled by Republican majorities in both houses, has disregarded my balanced budget and has proposed \$945 million in new spending and tax cuts. The actions of the Legislature to date spend more than we take in and greatly jeopardize the strength of Montana's economy and our place as the most fiscally prudent state in the nation. Your own staff has pointed out that the budget is deficit spending to the tune of roughly \$47 million.

HB 166 accounts for a significant part of the spending that has been proposed. HB 166 would primarily benefit the wealthiest individuals and cost more than \$160 million over the next four years. Almost 50 percent of the benefit of HB 166 would go to the top 10 percent of income earners. The experience of other states shows that decimating your revenue base to benefit large corporations and the wealthiest individuals does not work to stimulate the economy. To the contrary, states like New Jersey, Wisconsin and Louisiana have seen these trickle-down experiments fail, resulting in funding cuts to schools, roads and other services and forcing these states into billion dollar deficits.

HB 166 proposes to take Montana down this failed path despite the fact that Montana's economy is thriving and that our state and local tax burden is among the lowest in the nation, ranking 37th in dollars per capita compared with our neighbors North Dakota and Wyoming who rank 4th and 5th highest respectively. We are 39th in the nation for taxes paid as a percent of personal income. And, according to the Tax Foundation, Montana has the 6th best tax climate for business in the nation.

HOUSE JOURNAL  
FORTY-EIGHTH LEGISLATIVE DAY - MARCH 9, 2015

I take my job to be a responsible steward of Montana taxpayer dollars seriously. I will not entertain fiscally irresponsible bills, like HB 166, that undercut Montana's fiscal health and the strong job creating climate that comes from it.

Sincerely,

STEVE BULLOCK  
Governor

**FIRST READING AND COMMITMENT OF BILLS**

The following House bill was introduced, read first time, and referred to committee:

**HB 600**, introduced by T. Woods, R. Brodehl, T. Burnett, M. Funk, C. Glimm, D. Hagstrom, D. Jones, J. Karjala, K. McCarthy, N. McConnell, A. Olsen, C. Pope, K. Regier, N. Schwaderer, T. Steenberg, R. Mehlhoff, referred to Education.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Lang in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**SB 49** - Majority Leader Regier moved consideration of **SB 49** be passed for the day. Motion carried.

**HB 506** - Representative D. Moore moved **HB 506** do pass. Motion carried as follows:

Yeas: B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 95

HOUSE JOURNAL  
FORTY-EIGHTH LEGISLATIVE DAY - MARCH 9, 2015

Nays: Ballance, J. Bennett, B. Brown, Harris.

Total 4

Excused: Meyers.

Total 1

Absent or not voting: None.

Total 0

**HB 577** - Representative Holmlund moved **HB 577** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 90

Nays: J. Bennett, Burnett, Cook, Hess, Jones, Lamm, Schwaderer, Wagoner, White, Wittich.

Total 10

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 52** - Representative Hunter moved **SB 52** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 76

HOUSE JOURNAL  
FORTY-EIGHTH LEGISLATIVE DAY - MARCH 9, 2015

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Doane, Flynn, Glimm, Harris, Hess, Jones, Lamm, Manzella, Meyers, Miller, Monforton, Mortensen, Pinocci, Redfield, Regier, Schwaderer, Tschida, Wagoner, Wittich.

Total 24

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 344** - Representative Zolnikov moved **HB 344** do pass.

**HB 344** - Representative Noland moved for cloture. Motion carried. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Mandeville, Manzella, McCarthy, McKamey, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Swanson, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Zolnikov, Mr. Speaker.

Total 80

Nays: Doane, Dudik, Funk, Hayman, Kelker, Lynch, MacDonald, McClafferty, McConnell, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Schreiner, Smith, Steenberg, Tropila, Woods.

Total 19

Excused: Meyers.

Total 1

Absent or not voting: None.

Total 0

**HB 344** - Representative Zolnikov moved **HB 344** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Mandeville, Manzella, McCarthy, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Person, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Smith, Staffanson, Tropila, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

HOUSE JOURNAL  
FORTY-EIGHTH LEGISLATIVE DAY - MARCH 9, 2015

Nays: Berry, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Garner, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McClafferty, McConnell, Mehlhoff, Noonan, Pease-Lopez, Peppers, Perry, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Steenberg, Swanson, Webber, Williams, Wilson, Woods.  
Total 41

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 423** - Representative Staffanson moved **HB 423** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Smith, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 55

Nays: B. Bennett, B. Brown, Z. Brown, Burnett, Clark, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 45

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 41** - Majority Leader Regier moved consideration of **SB 41** be passed for the day. Motion carried.

**HB 536** - Representative Berry moved **HB 536** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell,



HOUSE JOURNAL  
FORTY-EIGHTH LEGISLATIVE DAY - MARCH 9, 2015

McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 97

Nays: Burnett, Lang, White.  
Total 3

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 53** - Representative D. Moore moved **SB 53** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 81

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Fitzpatrick, Glimm, Hertz, Hess, Lamm, Manzella, Monforton, Pinocci, Randall, Tschida, Wagoner, White, Wittich.  
Total 19

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 114** - Representative Welborn moved **SB 114** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski,

HOUSE JOURNAL  
FORTY-EIGHTH LEGISLATIVE DAY - MARCH 9, 2015

Osmundson, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 57

Nays: B. Bennett, Z. Brown, Cook, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 43

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 142** - Representative Wittich moved **SB 142** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 97

Nays: Pease-Lopez, Peppers, Wilson.  
Total 3

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Lang moved the Committee of the Whole report be adopted. Report adopted as follows:

HOUSE JOURNAL  
FORTY-EIGHTH LEGISLATIVE DAY - MARCH 9, 2015

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Custer, Doane, Dunwell, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Peppers, Person, Pierson, Pinocci, Pope, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 85

Nays: B. Bennett, Curdy, Dudik, Eck, Hill, Hunter, MacDonald, Noonan, Olsen, Pease-Lopez, Perry, Price, Schreiner, Wilson.

Total 14

Excused: Meyers.

Total 1

Absent or not voting: None.

Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 422** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: Meyers.

Total 1

HOUSE JOURNAL  
FORTY-EIGHTH LEGISLATIVE DAY - MARCH 9, 2015

Absent or not voting: None.

Total 0

**HB 429** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Lamm, Olsen, Pierson.

Total 3

Excused: Meyers.

Total 1

Absent or not voting: None.

Total 0

**HB 431** passed as follows:

Yeas: Ballance, B. Bennett, Brodehl, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Funk, Garner, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Woods, Mr. Speaker.

Total 75

Nays: J. Bennett, Berglee, Berry, B. Brown, Burnett, Cook, Cuffe, Doane, Fiscus, Flynn, Glimm, Hagstrom, Kipp III, Lang, Laszloffy, Miller, Monforton, Redfield, Salomon, Schwaderer, Staffanson, Welborn, Wittich, Zolnikov.

Total 24

Excused: Meyers.

Total 1

HOUSE JOURNAL  
FORTY-EIGHTH LEGISLATIVE DAY - MARCH 9, 2015

Absent or not voting: None.

Total 0

**HB 478** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, White, Williams, Wilson, Woods, Mr. Speaker.

Total 87

Nays: J. Bennett, Brodehl, Cuffe, Glimm, Hess, Monforton, Mortensen, Noland, Wagoner, Welborn, Wittich, Zolnikov.

Total 12

Excused: Meyers.

Total 1

Absent or not voting: None.

Total 0

**MOTIONS**

Majority Leader Regier moved **SB 52** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **HB 506** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **HB 423** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **SJR 10** be moved from the Human Services Committee to the Education Committee.

Majority Leader Regier moved **SB 261** be moved from the Natural Resources Committee to the Federal Relations, Energy, and Telecommunications Committee.

Representative Fitzpatrick moved **SB 289** be moved to the Business and Labor Committee.

Representative Schwaderer moved **SB 289** be tabled. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Court, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm,

HOUSE JOURNAL  
FORTY-EIGHTH LEGISLATIVE DAY - MARCH 9, 2015

Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 47

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Garner, Greef, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 52

Excused: Meyers.

Total 1

Absent or not voting: None.

Total 0

Representative G. Bennett moved **SB 289** debate be suspended until Wednesday, March 11th. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Essmann, Fiscus, Flynn, Glimm, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 44

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 55

Excused: Meyers.

Total 1

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
FORTY-EIGHTH LEGISLATIVE DAY - MARCH 9, 2015

Representative Mandeville moved **SB 289** be moved to the State Administration Committee.  
Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Court, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, Greef, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 47

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Garner, Hagstrom, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 52

Excused: Meyers.  
Total 1

Absent or not voting: None.  
Total 0

Representative Mandeville moved the session be adjourned. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 45

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 54

Excused: Meyers.  
Total 1

HOUSE JOURNAL  
FORTY-EIGHTH LEGISLATIVE DAY - MARCH 9, 2015

Absent or not voting: None.

Total 0

Representative B. Bennett moved Call of the Question to end Debate on **SB 289**. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person,

Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Woods.

Total 58

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Fiscus, Flynn, Glimm, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, White, Wittich, Zolnikov, Mr. Speaker.

Total 41

Excused: Meyers.

Total 1

Absent or not voting: None.

Total 0

Representative Fitzpatrick moved **SB 289** be moved to the Business and Labor Committee. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 50

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Court, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 49



HOUSE JOURNAL  
FORTY-EIGHTH LEGISLATIVE DAY - MARCH 9, 2015

Excused: Meyers.

Total 1

Absent or not voting: None.

Total 0

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Tuesday, March 10, 2015. Motion carried.

House adjourned at 3:03 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
FORTY-NINTH LEGISLATIVE DAY**

Helena, Montana  
March 10, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Bob Brown. Pledge of Allegiance to the Flag. Roll Call. All members present. Quorum present.

**BILLS** (Welborn, Chair):

3/10/2015

Correctly printed: **SB 96, SB 174, SB 196, SB 200.**

Correctly engrossed: **HB 389, SB 241.**

Correctly enrolled: **HB 19, HB 50, HB 126, HB 144, HB 161, HB 212, HB 265.**

Transmitted to the Senate: **HB 422, HB 429, HB 431, HB 478.**

**REPORTS OF STANDING COMMITTEES**

**ADVERSE COMMITTEE REPORT**

**HUMAN SERVICES** (Wittich, Chair):

3/10/2015

Representative Hunter made the substitute motion that the Adverse Committee Report for **HB 249** be rejected. Motion failed as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 59

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
FORTY-NINTH LEGISLATIVE DAY - MARCH 10, 2015

Representative Miller made the motion to **Call the Previous Question**. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 59

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**BUSINESS AND LABOR** (Berry, Chair):  
**SB 174**, be concurred in. Report adopted.  
**SB 196**, be concurred in. Report adopted.  
**SB 241**, be amended as follows:

3/10/2015

1. Title, page 1, line 6.  
**Following:** "LAW;"  
**Insert:** "AMENDING SECTION 7-1-111, MCA;"

2. Page 1, line 29.  
**Following:** "section 1"  
**Insert:** "or 6"

3. Page 2.  
**Following:** line 5  
**Insert:** "**Section 4.** Section 7-1-111, MCA, is amended to read:  
    "**7-1-111. Powers denied.** A local government unit with self-government powers is prohibited from exercising the following:  
    (1) any power that applies to or affects any private or civil relationship, except as an incident to the exercise of an independent self-government power;

HOUSE JOURNAL  
FORTY-NINTH LEGISLATIVE DAY - MARCH 10, 2015

(2) any power that applies to or affects the provisions of 7-33-4128 or Title 39 (labor, collective bargaining for public employees, unemployment compensation, or workers' compensation), except that subject to those provisions, it may exercise any power of a public employer with regard to its employees;

(3) any power that applies to or affects the public school system, except that a local unit may impose an assessment reasonably related to the cost of any service or special benefit provided by the unit and shall exercise any power that it is required by law to exercise regarding the public school system;

(4) any power that prohibits the grant or denial of a certificate of public convenience and necessity;

(5) any power that establishes a rate or price otherwise determined by a state agency;

(6) any power that applies to or affects any determination of the department of environmental quality with regard to any mining plan, permit, or contract;

(7) any power that applies to or affects any determination by the department of environmental quality with regard to a certificate of compliance;

(8) any power that defines as an offense conduct made criminal by state statute, that defines an offense as a felony, or that fixes the penalty or sentence for a misdemeanor in excess of a fine of \$500, 6 months' imprisonment, or both, except as specifically authorized by statute;

(9) any power that applies to or affects the right to keep or bear arms, except that a local government has the power to regulate the carrying of concealed weapons;

(10) any power that applies to or affects a public employee's pension or retirement rights as established by state law, except that a local government may establish additional pension or retirement systems;

(11) any power that applies to or affects the standards of professional or occupational competence established pursuant to Title 37 (professions and occupations) as prerequisites to the carrying on of a profession or occupation;

(12) except as provided in 7-3-1105, 7-3-1222, or 7-31-4110, any power that applies to or affects Title 75, chapter 7, part 1 (streambeds), or Title 87 (fish and wildlife);

(13) any power that applies to or affects landlords, as defined in 70-24-103, when that power is intended to license landlords or to regulate their activities with regard to tenants beyond what is provided in Title 70, chapters 24 and 25. This subsection is not intended to restrict a local government's ability to require landlords to comply with ordinances or provisions that are applicable to all other businesses or residences within the local government's jurisdiction.

(14) subject to 7-32-4304, any power to enact ordinances prohibiting or penalizing vagrancy;

(15) subject to 80-10-110, any power to regulate the registration, packaging, labeling, sale, storage, distribution, use, or application of commercial fertilizers or soil amendments, except that a local government may enter into a cooperative agreement with the department of agriculture concerning the use and application of commercial fertilizers or soil amendments. This subsection is not intended to prevent or restrict a local government from adopting or implementing zoning regulations or fire codes governing the physical location or siting of fertilizer manufacturing, storage, and sales facilities;

(16) any power that prohibits the operation of a mobile amateur radio station from a motor vehicle, including while the vehicle is in motion, that is operated by a person who holds

HOUSE JOURNAL  
FORTY-NINTH LEGISLATIVE DAY - MARCH 10, 2015

an unrevoked and unexpired official amateur radio station license and operator's license, "technician" or higher class, issued by the federal communications commission of the United States;

(17) subject to 76-2-240 and 76-2-340, any power that prevents the erection of an amateur radio antenna at heights and dimensions sufficient to accommodate amateur radio service communications by a person who holds an unrevoked and unexpired official amateur radio station license and operator's license, "technician" or higher class, issued by the federal communications commission of the United States;

(18) any power to require an employer, other than for the political subdivision itself, to provide an employee or class of employees with a wage or employment benefit that is not required by state or federal law."

**Insert:** "NEW SECTION. **Section 5. Codification instruction.** [Sections 1 through 3] are intended to be codified as an integral part of Title 7, chapter 1, and the provisions of Title 7, chapter 1, apply to [sections 1 through 3]."

**Renumber:** subsequent section

And, as amended, be concurred in. Report adopted.

**NATURAL RESOURCES** (White, Chair):

3/9/2015

**SB 96**, be concurred in. Report adopted.

**TAXATION** (Miller, Chair):

3/10/2015

**HB 389**, introduced bill, be amended as follows:

1. Title, page 1, line 5.

**Following:** "TAX-EXEMPT"

**Insert:** "REAL"

2. Title, page 1, line 8.

**Following:** "COSTS;"

**Insert:** "WAIVING THE FEE FOR CERTAIN NONPROFIT ORGANIZATIONS;"

3. Page 1, line 14.

**Strike:** "Property owners or entities"

**Insert:** "Owners of real property"

4. Page 1, line 15.

**Strike:** "(1)(c),"

**Following:** "through"

**Insert:** "(1)(g),"

**Strike:** "15-6-217,"

HOUSE JOURNAL  
FORTY-NINTH LEGISLATIVE DAY - MARCH 10, 2015

5. Page 1, line 17.

**Following:** "requiring"

**Insert:** "real"

6. Page 1, line 19.

**Following:** "each"

**Insert:** "real"

7. Page 1, line 26.

**Following:** "A"

**Insert:** "real"

8. Page 1, line 30.

**Following:** "determines that the"

**Insert:** "real"

**Following:** "portion of the"

**Insert:** "real"

9. Page 2, line 1.

**Following:** "notice of the"

**Insert:** "real"

10. Page 2, line 2.

**Following:** "of the"

**Insert:** "real"

11. Page 2, line 4.

**Following:** "notice to"

**Insert:** "real"

12. Page 2, line 6.

**Following:** "notice to"

**Insert:** "real"

13. Page 2, line 13.

**Following:** "for a"

**Insert:** "real"

14. Page 2, line 19.

**Following:** "listing of"

**Insert:** "real"

**Strike:** "(1)(c),"

HOUSE JOURNAL  
FORTY-NINTH LEGISLATIVE DAY - MARCH 10, 2015

15. Page 2, line 20.

**Following:** "through"

**Insert:** "(1)(g),"

**Strike:** "15-6-217,"

16. Page 3, line 9.

**Strike:** "The"

**Insert:** "Except as provided in subsection (3), the"

17. Page 3, line 16 through line 17.

**Strike:** "if" on line 16 through "(i)" on line 17

**Insert:** "the"

18. Page 3, line 18.

**Strike:** "(ii)"

**Insert:** "(d) the"

**Strike:** "and"

19. Page 3, line 19.

**Strike:** "(iii)"

**Insert:** "(e) a"

**Strike:** "(2)(c)(i) and (2)(c)(ii)"

**Insert:** "(2)(c) and (2)(d)"

**Renumber:** subsequent subsections

20. Page 3, line 22.

**Following:** line 21

**Insert:** "(3) The department may not impose a fee for a nonprofit organization with annual gross receipts of \$5,000 or less."

**Renumber:** subsequent subsections

And, as amended, do pass. Report adopted.

**SB 200**, be concurred in. Report adopted.

**MESSAGES FROM THE SENATE**

**House bill not** concurred in and returned to the House:

3/6/2015

**HB 16**, introduced by Regier

**Senate bills** passed and transmitted to the House for concurrence:

3/6/2015

**SB 66**, introduced by Sands

**SB 171**, introduced by Tutvedt

HOUSE JOURNAL  
FORTY-NINTH LEGISLATIVE DAY - MARCH 10, 2015

**SB 234**, introduced by Thomas  
**SB 252**, introduced by L. Jones  
**SB 260**, introduced by F. Moore  
**SB 306**, introduced by Arntzen  
**SB 365**, introduced by Buttrey

**Senate joint resolution** passed and transmitted to the House for concurrence: 3/6/2015

**SJR 12**, introduced by Connell

**FIRST READING AND COMMITMENT OF BILLS**

The following House joint resolution was introduced, read first time, and referred to committee:

**HJR 22**, introduced by B. Smith, referred to Judiciary.

The following Senate bills were introduced, read first time, and referred to committees:

**SB 66**, introduced by D. Sands (by request of the Department of Justice), referred to Human Services.  
**SB 171**, introduced by B. Tutvedt, B. Hoven, referred to Taxation.  
**SB 234**, introduced by F. Thomas, T. Jacobson, A. Olszewski, referred to Business and Labor.  
**SB 252**, introduced by L. Jones, F. Moore, referred to Education.  
**SB 260**, introduced by F. Moore, referred to Education.  
**SB 289**, introduced by D. Ankney, referred to Business and Labor.  
**SB 306**, introduced by E. Arntzen, D. Salomon, referred to Judiciary.  
**SB 365**, introduced by E. Buttrey, referred to Business and Labor.

The following Senate joint resolution was introduced, read first time, and referred to committee:

**SJR 12**, introduced by P. Connell, J. Keane, M. Lang, C. Schreiner, referred to Federal Relations, Energy, and Telecommunications.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Curdy in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:



HOUSE JOURNAL  
FORTY-NINTH LEGISLATIVE DAY - MARCH 10, 2015

**HB 213** - Representative Miller moved **HB 213** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 42

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 297** - Representative Court moved **HB 297** do pass. Motion carried as follows:

Yeas: B. Bennett, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Flynn, Funk, Garner, Hayman, Hill, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Smith, Staffanson, Steenberg, Swanson, Webber, Williams, Wilson, Woods.

Total 52

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Ehli, Essmann, Fiscus, Fitzpatrick, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Jones, Lamm, Lang, Laszloffy, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Tropila, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 48

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
FORTY-NINTH LEGISLATIVE DAY - MARCH 10, 2015

**HB 310** - Representative Jacobson moved **HB 310** do pass. Motion **failed** as follows:

Yeas: B. Bennett, Berry, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hagstrom, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Zolnikov.  
Total 47

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Mr. Speaker.  
Total 53

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 379** - Representative Hertz moved **HB 379** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 95

Nays: Essmann, Lynch, Noonan, Olsen, Schreiner.  
Total 5

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
FORTY-NINTH LEGISLATIVE DAY - MARCH 10, 2015

**HB 411** - Representative Richmond moved **HB 411** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Tschida, Wagoner, Webber, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 72

Nays: B. Bennett, Court, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Hayman, Hill, Hunter, Karjala, Kelker, Lieser, MacDonald, McCarthy, McClafferty, McConnell, Noonan, Olsen, Pope, Price, Steenberg, Swanson, Tropila, Williams, Wilson, Woods.

Total 28

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 49** - Representative Shaw moved **SB 49** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Essmann.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
FORTY-NINTH LEGISLATIVE DAY - MARCH 10, 2015

**SB 60** - Representative MacDonald moved **SB 60** be concurred in. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 91

Nays: Ballance, Berry, Essmann, Glimm, Harris, Lamm, Miller, Wittich, Zolnikov.  
Total 9

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 82** - Representative Lieser moved **SB 82** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 75

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Ehli, Essmann, Fitzpatrick, Hess, Lamm, Lavin, Manzella, McKamey, Monforton, Moore, Mortensen, Pinocci, Randall, Schwaderer, Tschida, Wagoner, Wittich, Zolnikov.  
Total 25

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
FORTY-NINTH LEGISLATIVE DAY - MARCH 10, 2015

**SB 128** - Representative Laszloffy moved **SB 128** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 88

Nays: J. Bennett, B. Brown, Cuffe, Essmann, Fiscus, Flynn, Mandeville, Miller, Monforton, Moore, Mortensen, Wittich.

Total 12

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Curdy moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Zolnikov, Mr. Speaker.

Total 87

Nays: B. Bennett, Dudik, Dunwell, Essmann, Hill, Karjala, Kipp III, Noonan, Olsen, Pease-Lopez, Schreiner, Schwaderer, Woods.

Total 13

Excused: None.

Total 0

HOUSE JOURNAL  
FORTY-NINTH LEGISLATIVE DAY - MARCH 10, 2015

Absent or not voting: None.

Total 0

Mr. Speaker addressed the body to discuss decorum. He stated that there are times during discussion for seriousness and also, times for levity. Whenever discussion makes members of either caucus uncomfortable that's when the levity needs to stop. The Speaker said, "This is the Montana House of Representatives, we need to accord ourselves with the dignity this chamber deserves. Jokes and innuendo of a sexual nature have no business on the Montana House of Representatives Floor."

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 344** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Mandeville, Manzella, McCarthy, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Person, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Smith, Staffanson, Tropila, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 56

Nays: Berry, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Garner, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McClafferty, McConnell, Mehlhoff, Noonan, Pease-Lopez, Peppers, Perry, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Steenberg, Swanson, Webber, Welborn, Williams, Wilson, Woods.

Total 44

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 536** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty,

HOUSE JOURNAL  
FORTY-NINTH LEGISLATIVE DAY - MARCH 10, 2015

McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 98

Nays: Burnett, Essmann.  
Total 2

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 577** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 89

Nays: J. Bennett, Brodehl, Burnett, Cook, Essmann, Hess, Lamm, Noonan, Wagoner, White, Wittich.  
Total 11

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 53** concurred in as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Garner, Hagstrom, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Mortensen, Noland, Noonan, Olsen,

HOUSE JOURNAL  
FORTY-NINTH LEGISLATIVE DAY - MARCH 10, 2015

Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Mr. Speaker.

Total 69

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hertz, Hess, Lamm, Laszloffy, Manzella, McKamey, Meyers, Miller, Monforton, Randall, Schwaderer, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov.

Total 31

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 114** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Custer, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 55

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 45

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 142** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin,



HOUSE JOURNAL  
FORTY-NINTH LEGISLATIVE DAY - MARCH 10, 2015

Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: Z. Brown, Court, Essmann, Noonan, Peppers, Smith, Wilson.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**MOTIONS**

Majority Leader Regier moved **SB 128** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **HB 213** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **HB 379** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved to override the Governor's Veto on **HB 166**. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 41

HOUSE JOURNAL  
FORTY-NINTH LEGISLATIVE DAY - MARCH 10, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Schwaderer moved to reconsider action on **HB 289**. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 48

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 52

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Wednesday, March 11, 2015. Motion carried.

House adjourned at 3:15 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
FIFTIETH LEGISLATIVE DAY**

Helena, Montana  
March 11, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Meyers. Pledge of Allegiance to the Flag. Roll Call. All members present, except Representative Hill, excused. Quorum present.

**BILLS** (Welborn, Chair):

3/11/2015

Correctly printed: **SB 21, SB 131.**

Correctly engrossed: **HB 300.**

Transmitted to the Senate: **HB 344, HB 536, HB 577, SB 53, SB 114, SB 142.**

Signed by the Speaker at 4:30 p.m., March 11, 2015: **HB 144, HB 161, HB 212, HB 265.**

Signed by the Chief Clerk of the House at 4:40 p.m., March 11, 2015: **HB 144, HB 161, HB 212, HB 265.**

**COMMUNICATIONS AND PETITIONS**

Mr. Speaker: We, your committee on Legislative Administration, having examined the daily journals for the thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth legislative days, find the same to be correct.

Representative Welborn, Chair

**REPORTS OF STANDING COMMITTEES**

**APPROPRIATIONS** (Ballance, Chair):

3/10/2015

**HB 2**, introduced bill, be amended as follows:

1. Page BP-1.

**Strike:** everything after the enacting clause

**Insert:** "the amendments adopted by the house appropriations committee"

And, as amended, do pass. Report adopted.

**FISH, WILDLIFE AND PARKS** (Flynn, Chair):

3/10/2015

**HB 300**, do pass. Report adopted.

**SB 21**, be concurred in. Report adopted.

**JUDICIARY** (Bennett, Chair):

3/11/2015

**SB 131**, be concurred in. Report adopted.

HOUSE JOURNAL  
FIFTIETH LEGISLATIVE DAY - MARCH 11, 2015

**MESSAGES FROM THE SENATE**

**House bills** concurred in as amended and returned to the House for concurrence in Senate amendments:

3/9/2015

**HB 12**, introduced by Hill  
**HB 135**, introduced by Eck  
**HB 158**, introduced by MacDonald  
**HB 206**, introduced by Lang  
**HB 221**, introduced by MacDonald

**House bills** concurred in and returned to the House:

3/9/2015

**HB 19**, introduced by Hill  
**HB 50**, introduced by Steenberg  
**HB 126**, introduced by Peppers  
**HB 144**, introduced by Redfield  
**HB 161**, introduced by Ricci  
**HB 212**, introduced by Wagoner  
**HB 265**, introduced by Staffanson

**Senate bill** concurred in and returned to the House:

3/9/2015

**SB 314**, introduced by Webb

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 601**, introduced by T. Berry, referred to State Administration.  
**HB 602**, introduced by S. Staffanson, C. Clark, A. Doane, T. Facey, K. Holmlund, L. Jones, G. Kipp, C. Larsen, D. Mortensen, A. Person, T. Richmond, referred to Taxation.  
**HB 603**, introduced by A. Wittich, referred to Transportation.

The following Senate bill was introduced, read first time, and referred to committee:

**SB 314**, introduced by R. Webb, referred to Federal Relations, Energy, and Telecommunications.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Tschida in the chair.

HOUSE JOURNAL  
FIFTIETH LEGISLATIVE DAY - MARCH 11, 2015

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 140** - Representative Welborn moved **HB 140** do pass.

**HB 140** - Representative Regier moved **HB 140**, second reading copy, be amended as follows:

1. Title, page 1, line 16 through line 17.

**Following:** "FEES;"

**Strike:** "INCREASING" on line 16 through "LICENSES;" on line 17

2. Page 16, line 11.

**Strike:** "67"

**Insert:** "62"

3. Page 16, line 12.

**Strike:** "67"

**Insert:** "62"

4. Page 16, line 16.

**Strike:** "67"

**Insert:** "62"

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Cuffe, Doane, Ehli, Essmann, Garner, Glimm, Harris, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 44

Nays: B. Bennett, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noland, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 56

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
FIFTIETH LEGISLATIVE DAY - MARCH 11, 2015

**HB 140** - Representative Welborn moved **HB 140** do pass. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Hunter, Jacobson, Jones, Karjala, Kelker, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 71

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Doane, Glimm, Harris, Holmlund, Kipp III, Lamm, Lang, Laszloffy, Manzella, Monforton, Mortensen, Osmundson, Pinocci, Randall, Redfield, Regier, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 29

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 41** - Representative Regier moved consideration of **SB 41** be passed for the day. Motion carried.

**HB 378** - Representative Richmond moved **HB 378** do pass. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods.

Total 73

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Doane, Flynn, Glimm, Harris, Hertz, Hess, Lamm, Lavin, Manzella, McKamey, Miller, Monforton, Mortensen, Pinocci, Randall, Redfield, Schwaderer, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 27

Excused: None.

Total 0

HOUSE JOURNAL  
FIFTIETH LEGISLATIVE DAY - MARCH 11, 2015

Absent or not voting: None.

Total 0

**HB 413** - Representative Hunter moved **HB 413** do pass.

**HB 413** - Representative Pierson moved **HB 413**, second reading copy, be amended as follows:

1. Page 5, line 12.

**Strike:** "12"

**Insert:** "14"

2. Page 5, line 13.

**Strike:** "eight"

**Insert:** "10"

3. Page 5.

**Following:** line 16

**Insert:** "(iv) a representative of a statewide association of employers engaged in agriculture;

(v) a representative of a labor organization that has members employed in the health care industry;"

**Renumber:** subsequent subsections

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 89

Nays: Brodehl, B. Brown, Burnett, Custer, Glimm, Mortensen, Noland, Osmundson, Ricci, Schwaderer, Zolnikov.

Total 11

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
FIFTIETH LEGISLATIVE DAY - MARCH 11, 2015

**HB 413** - Representative Hunter moved **HB 413**, as amended, do pass. Motion **failed** as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 59

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 421** - Representative Berry moved **HB 421** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Peppers, Perry, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Tropila, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 72

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Karjala, Kelker, Lieser, MacDonald, McConnell, Olsen, Pease-Lopez, Person, Pope, Price, Steenberg, Swanson, Webber, Williams, Wilson, Woods.  
Total 28

Excused: None.  
Total 0



HOUSE JOURNAL  
FIFTIETH LEGISLATIVE DAY - MARCH 11, 2015

Absent or not voting: None.

Total 0

**HJR 14** - Representative Garner moved **HJR 14** be adopted. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Doane.

Total 1

Excused: None.

Total 0

Absent or not voting: Randall.

Total 1

**SB 77** - Representative Clark moved **SB 77** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: None.

Total 0

HOUSE JOURNAL  
FIFTIETH LEGISLATIVE DAY - MARCH 11, 2015

Absent or not voting: B. Brown.

Total 1

**SB 88** - Representative Z. Brown moved **SB 88** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: B. Brown, Glimm, Hess, Pinocci, Schwaderer, Wittich.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 105** - Representative Salomon moved **SB 105** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 86

Nays: Ballance, J. Bennett, B. Brown, Doane, Hess, Lamm, Manzella, Monforton, Mortensen, Randall, Schwaderer, Wagoner, Wittich, Zolnikov.

Total 14

Excused: None.

Total 0

HOUSE JOURNAL  
FIFTIETH LEGISLATIVE DAY - MARCH 11, 2015

Absent or not voting: None.

Total 0

**SB 110** - Representative Garner moved **SB 110** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 92

Nays: J. Bennett, Berglee, Doane, Monforton, Staffanson, Wagoner, Wittich, Zolnikov.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Tschida moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Peppers, Perry, Person, Pierson, Pinocci, Pope, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: B. Bennett, Essmann, MacDonald, Olsen, Pease-Lopez, Price, Schwaderer.

Total 7

Excused: Hill.

Total 1

HOUSE JOURNAL  
FIFTIETH LEGISLATIVE DAY - MARCH 11, 2015

Absent or not voting: None.

Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 297** passed as follows:

Yeas: B. Bennett, Z. Brown, Clark, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Flynn, Funk, Garner, Hayman, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 53

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Ehli, Fiscus, Fitzpatrick, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Jones, Lamm, Laszloffy, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 46

Excused: Hill.

Total 1

Absent or not voting: None.

Total 0

**HB 411** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Pease-Lopez, Peppers, Person, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Tschida, Wagoner, Webber, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 70

HOUSE JOURNAL  
FIFTIETH LEGISLATIVE DAY - MARCH 11, 2015

Nays: B. Bennett, Court, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Hayman, Hunter, Karjala, Kelker, Lieser, MacDonald, McCarthy, McClafferty, McConnell, Noonan, Olsen, Osmundson, Perry, Pope, Price, Steenberg, Swanson, Tropila, Williams, Wilson, Woods.

Total 29

Excused: Hill.

Total 1

Absent or not voting: None.

Total 0

**SB 49** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Excused: Hill.

Total 1

Absent or not voting: Hayman.

Total 1

**SB 60** concurred in as follows:

Yeas: B. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hayman, Hertz, Hess, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry,

HOUSE JOURNAL  
FIFTIETH LEGISLATIVE DAY - MARCH 11, 2015

Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 87

Nays: Ballance, J. Bennett, Berry, Burnett, Glimm, Hagstrom, Harris, Lamm, Miller, Randall, Wittich, Zolnikov.

Total 12

Excused: Hill.

Total 1

Absent or not voting: None.

Total 0

**SB 82** concurred in as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 74

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Ehli, Fitzpatrick, Glimm, Harris, Hess, Jones, Lamm, Laszloffy, Lavin, Manzella, McKamey, Monforton, Mortensen, Pinocci, Schwaderer, Tschida, Wagoner, Wittich, Zolnikov.

Total 25

Excused: Hill.

Total 1

Absent or not voting: None.

Total 0

**MOTIONS**

Majority Leader Regier moved **HB 421** be moved from the Committee of the Whole to the Appropriations Committee.

HOUSE JOURNAL  
FIFTIETH LEGISLATIVE DAY - MARCH 11, 2015

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Thursday, March 12, 2015. Motion carried.

House adjourned at 3:10 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
FIFTY-FIRST LEGISLATIVE DAY**

Helena, Montana  
March 12, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Redfield. Pledge of Allegiance to the Flag. Roll Call. All members present. Quorum present.

**BILLS** (Welborn, Chair):

3/12/2015

Correctly printed: **SB 56, SB 57, SB 80, SB 89, SB 94, SB 97, SB 124, SB 144, SB 151, SB 188, SB 248.**

Correctly engrossed: **HB 488, SB 39, SB 42, SB 74, SB 143.**

Correctly enrolled: **HB 43, HB 53, HB 61, HB 83, HB 88, HB 98, HB 129, HB 133, HB 80, HB 186, HB 165, HB 187, HB 250, HB 260, HB 296.**

Transmitted to the Senate: **HB 297, HB 411, SB 49, SB 60, SB 82.**

Signed by the Speaker at 2:40 p.m., March 12, 2015: **HB 19, HB 50, HB 126.**

Signed by the Chief Clerk of the House at 3:00 p.m., March 12, 2015: **HB 19, HB 50, HB 126.**

Signed by the President at 9:24 a.m., March 12, 2015: **HB 144, HB 161, HB 212, HB 265.**

Signed by the President at 4:15 p.m., March 12, 2015: **HB 19, HB 50, HB 126.**

Delivered to the Governor for approval at 10:30 a.m., March 12, 2015: **HB 144, HB 161, HB 212, HB 265.**

**REPORTS OF STANDING COMMITTEES**

**JUDICIARY** (Bennett, Chair):

3/11/2015

**HB 488**, introduced bill, be amended as follows:

1. Page 7, line 10.

**Following:** "[section 1]."

**Insert:** "The person's driver's license may not be reinstated until the administrative fee provided in this subsection (6) is paid."

2. Page 13, line 5.

**Strike:** "blood"

**Following:** "concentration"

**Insert:** ", as shown by analysis of the person's blood or breath,"

3. Page 22, line 11.

**Following:** "or 61-8-465"

**Insert:** ", and a previous conviction for a violation of 45-5-104, 45-5-205, or 45-5-628(1)(e), when the offense under 45-5-104 occurred while the person was operating a vehicle in violation of 61-8-401(1),"

And, as amended, do pass. Report adopted.



HOUSE JOURNAL  
FIFTY-FIRST LEGISLATIVE DAY - MARCH 12, 2015

**SB 39**, be amended as follows:

1. Page 1, line 23.

**Following:** "stating"

**Insert:** "in bad faith"

2. Page 2, line 8.

**Strike:** "OR"

3. Page 2, line 10.

**Following:** "~~;~~or"

**Insert:** "; OR"

4. Page 2, line 12.

**Following:** "~~patent~~"

**Strike:** "."

**Following:** line 12

**Insert:** "(C) the factual allegations concerning the specific area in which the intended recipient's or affiliated person's technology, products, or services infringed the patent or are covered by the claims of the patent."

5. Page 3, line 16.

**Strike:** "\$50,000 or"

6. Page 3, line 17.

**Following:** "fees"

**Strike:** ", whichever is greater"

And, as amended, be concurred in. Report adopted.

**SB 143**, be amended as follows:

1. Title, page 1, line 16.

**Strike:** "SECTIONS 45-3-111 AND"

**Insert:** "SECTION"

2. Page 4, line 12 through line 20.

**Strike:** section 6 in its entirety

**Renumber:** subsequent sections

And, as amended, be concurred in. Report adopted.

HOUSE JOURNAL  
FIFTY-FIRST LEGISLATIVE DAY - MARCH 12, 2015

**NATURAL RESOURCES** (White, Chair):

3/11/2015

**SB 56**, be concurred in. Report adopted.

**SB 57**, be concurred in. Report adopted.

**SB 97**, be concurred in. Report adopted.

**SB 188**, be concurred in. Report adopted.

**STATE ADMINISTRATION** (Essmann, Chair):

3/12/2015

**SB 42**, be amended as follows:

1. Page 9, line 9.

**Following:** "2013,"

**Insert:** "and"

2. Page 9, line 10.

**Following:** "2015,"

**Insert:** "an amount equal to"

3. Page 9, line 12.

**Following:** "2015,"

**Insert:** "and continuing until the plan choice rate unfunded actuarial liability in the defined benefit plan is fully paid, an amount equal to"

4. Page 9, line 13.

**Strike:** "until" through "paid"

5. Page 9, line 14.

**Strike:** "1%"

**Insert:** "amount equal to 1% of compensation"

6. Page 9, line 15.

**Following:** "additional"

**Insert:** "employer"

7. Page 10, line 3.

**Strike:** "subsection"

**Insert:** "subsections"

**Following:** "~~(3)~~"

**Insert:** "(3) and"

**Following:** "contribution"

**Insert:** "received under 19-3-316"

8. Page 10, line 8.

**Following:** "19-3-112(1)(b);"

**Strike:** "and"

HOUSE JOURNAL  
FIFTY-FIRST LEGISLATIVE DAY - MARCH 12, 2015

9. Page 10, line 10.

**Following:** "19-3-316(4)(b),"

**Insert:** "an amount equal to"

10. Page 10, line 11.

**Following:** "liability"

**Insert:** "; (c) on July 1, 2013, and continuing until June 30, 2015, an amount equal to 1% of compensation must be allocated to the defined benefit plan unfunded liabilities; and

(d) on July 1, 2015, and continuing until the plan choice rate unfunded actuarial liability in the defined benefit plan is fully paid, an amount equal to 1% of compensation must be allocated to the defined benefit plan as part of the plan choice rate. Effective the first full pay period in the month following the board's verification that the plan choice rate unfunded actuarial liability is paid off, the amount equal to 1% of compensation must be allocated to the member's retirement account until the additional employer contributions terminate pursuant to 19-3-316(4)(b)"

11. Page 10, line 12.

**Following:** "percentage"

**Insert:** "of"

**Following:** "compensation"

**Insert:** "amount"

12. Page 10, line 14.

**Following:** "compensation"

**Insert:** "amount"

13. Page 10, line 18.

**Following:** "off,"

**Insert:** "amounts equal to"

14. Page 10.

**Following:** line 23

**Insert:** "COORDINATION SECTION. Section 6. Coordination instruction. If House Bill No. 107 is passed and approved, then [this act] is void."

**Renumber:** subsequent sections

15. Page 10, line 27.

**Strike:** "4(3)"

**Insert:** "4(2)(c) and (3)"

16. Page 10, line 28.

**Following:** "19-21-214(2)(b)"

**Insert:** "made"

And, as amended, be concurred in. Report adopted.

HOUSE JOURNAL  
FIFTY-FIRST LEGISLATIVE DAY - MARCH 12, 2015

**SB 74**, be amended as follows:

1. Page 2.

**Following:** line 6

**Insert:** "COORDINATION SECTION. **Section 2. Coordination instruction.** If either House Bill No. 107 or Senate Bill No. 42 or both, are passed and approved, then [this act] is void."

**Renumber:** subsequent sections

And, as amended, be concurred in. Report adopted.

**SB 80**, be concurred in. Report adopted.

**SB 89**, be concurred in. Report adopted.

**SB 94**, be concurred in. Report adopted.

**SB 124**, be concurred in. Report adopted.

**SB 144**, be concurred in. Report adopted.

**SB 151**, be concurred in. Report adopted.

**SB 248**, be concurred in. Report adopted.

**MESSAGES FROM THE SENATE**

**House bills** concurred in as amended and returned to the House for concurrence in Senate amendments:

3/10/2015

**HB 90**, introduced by Olsen

**HB 162**, introduced by Schwaderer

**House bills** concurred in and returned to the House:

3/10/2015

**HB 43**, introduced by MacDonald

**HB 53**, introduced by Person

**HB 61**, introduced by Lang

**HB 83**, introduced by Hayman

**HB 88**, introduced by Laszloffy

**HB 98**, introduced by McClafferty

**HB 129**, introduced by Hill

**HB 133**, introduced by MacDonald

**HB 165**, introduced by Regier

**HB 186**, introduced by Pease-Lopez

**HB 250**, introduced by Wagoner

**HB 260**, introduced by Lynch

HOUSE JOURNAL  
FIFTY-FIRST LEGISLATIVE DAY - MARCH 12, 2015

**SB 275**, introduced by Webb, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the Senate and was transmitted to the House with the following vote:

3/10/2015

Yeas - 24

Nays - 26

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 604**, introduced by E. Greef, T. Steenberg, referred to Transportation.

**HB 605**, introduced by W. McKamey, referred to Taxation.

**HB 606**, introduced by C. Clark, referred to Appropriations.

The following Senate bill was introduced, read first time, and referred to committee:

**SB 275**, introduced by R. Webb, M. Blasdel, K. Hansen, J. Hinkle, D. Howard, D. Kary, S. Sales, C. Smith, N. Swandal, J. Taylor, G. Vance, referred to Education.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Garner in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 158 - Senate Amendments** - Representative MacDonald moved Senate amendments to **HB 158** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 51

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Meyers, Miller, Monforton, Mortensen, Noland,

HOUSE JOURNAL  
FIFTY-FIRST LEGISLATIVE DAY - MARCH 12, 2015

Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 49

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 206 - Senate Amendments** - Representative Lang moved Senate amendments to **HB 206** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 221 - Senate Amendments** - Representative MacDonald moved Senate amendments to **HB 221** be concurred in. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person,

HOUSE JOURNAL  
FIFTY-FIRST LEGISLATIVE DAY - MARCH 12, 2015

Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 85

Nays: Ballance, B. Brown, Burnett, Cook, Doane, Glimm, Hess, Laszloffy, Manzella, Noland, Schwaderer, Tschida, Wagoner, Welborn, Zolnikov.

Total 15

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 300** - Representative White moved **HB 300** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 90

Nays: Brodehl, Court, Doane, Flynn, Hertz, Mandeville, Monforton, Wagoner, Wittich, Zolnikov.

Total 10

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 389** - Representative Essmann moved **HB 389** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, B. Brown, Burnett, Clark, Cook, Custer, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Greef, Hagstrom, Harris, Hertz, Hollandsworth, Holmlund, Jones, Lang, Laszloffy, Lavin, Mandeville, McKamey, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci,

HOUSE JOURNAL  
FIFTY-FIRST LEGISLATIVE DAY - MARCH 12, 2015

Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 51

Nays: B. Bennett, Brodehl, Z. Brown, Court, Cuffe, Curdy, Doane, Dudik, Dunwell, Eck, Ellis, Funk, Glimm, Hayman, Hess, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Williams, Wilson, Woods.

Total 49

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 477** - Representative G. Bennett moved **HB 477** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Mr. Speaker.

Total 51

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Schwaderer, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 49

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 96** - Representative White moved **SB 96** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill,



HOUSE JOURNAL  
FIFTY-FIRST LEGISLATIVE DAY - MARCH 12, 2015

Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 95

Nays: B. Brown, Doane, Monforton, Wittich, Zolnikov.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 111** - Representative Lang moved **SB 111** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Burnett, Essmann, Monforton, Wittich.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 119** - Representative Ricci moved **SB 119** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dunwell, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn,

HOUSE JOURNAL  
FIFTY-FIRST LEGISLATIVE DAY - MARCH 12, 2015

Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Hunter, Jones, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Peppers, Perry, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 85

Nays: B. Bennett, Dudik, Eck, Hayman, Hill, Jacobson, Karjala, McConnell, Olsen, Pease-Lopez, Person, Schreiner, Smith, Wilson.

Total 14

Excused: None.

Total 0

Absent or not voting: Holmlund.

Total 1

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Garner moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Court, Cuffe, Custer, Doane, Dunwell, Eck, Ehli, Ellis, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Peppers, Perry, Person, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 80

Nays: B. Bennett, Z. Brown, Curdy, Dudik, Essmann, Fitzpatrick, Hill, McCarthy, McClafferty, Miller, Olsen, Pease-Lopez, Pierson, Schreiner, Schwaderer, Webber, Williams, Wilson, Woods.

Total 19

Excused: None.

Total 0

Absent or not voting: Welborn.

Total 1

HOUSE JOURNAL  
FIFTY-FIRST LEGISLATIVE DAY - MARCH 12, 2015

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 140** passed as follows:

Yeas: B. Bennett, Berry, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Hunter, Jacobson, Jones, Karjala, Kelker, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 70

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Cuffe, Doane, Glimm, Greef, Holmlund, Kipp III, Lamm, Lang, Laszloffy, Manzella, Meyers, Monforton, Mortensen, Osmundson, Pinocci, Randall, Redfield, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 30

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 378** passed as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Williams, Wilson, Woods.

Total 74

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Flynn, Glimm, Harris, Hess, Lamm, Lavin, Manzella, McKamey, Monforton, Mortensen, Pinocci, Randall, Redfield, Schwaderer, White, Wittich, Zolnikov, Mr. Speaker.

Total 25

HOUSE JOURNAL  
FIFTY-FIRST LEGISLATIVE DAY - MARCH 12, 2015

Excused: None.

Total 0

Absent or not voting: Welborn.

Total 1

**HJR 14** adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: B. Brown, Doane, Lamm.

Total 3

Excused: None.

Total 0

Absent or not voting: Welborn.

Total 1

**SB 77** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

HOUSE JOURNAL  
FIFTY-FIRST LEGISLATIVE DAY - MARCH 12, 2015

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 88** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 94

Nays: B. Brown, Glimm, Hess, Manzella, Schwaderer, Wittich.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 105** concurred in as follows:

Yeas: B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 84

HOUSE JOURNAL  
FIFTY-FIRST LEGISLATIVE DAY - MARCH 12, 2015

Nays: Ballance, J. Bennett, B. Brown, Doane, Essmann, Glimm, Hess, Lamm, Manzella, Mortensen, Randall, Schwaderer, Wagoner, Welborn, Wittich, Zolnikov.

Total 16

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 110** concurred in as follows:

Yeas: Ballance, B. Bennett, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 87

Nays: J. Bennett, Berglee, B. Brown, Doane, Flynn, Glimm, Manzella, Monforton, Salomon, Staffanson, Wagoner, Wittich, Zolnikov.

Total 13

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**MOTIONS**

Majority Leader Regier moved **HB 389** be moved from the Committee of the Whole to the Appropriations Committee.

Representative Meyers moved to change their vote on **HB 477** from Not Voting to Yes. Without objection, so ordered.

HOUSE JOURNAL  
FIFTY-FIRST LEGISLATIVE DAY - MARCH 12, 2015

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Friday, March 13, 2015.  
Motion carried.

House adjourned at 2:30 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
FIFTY-SECOND LEGISLATIVE DAY**

Helena, Montana  
March 13, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Brodehl. Pledge of Allegiance to the Flag. Roll Call. All members present. Quorum present.

**BILLS** (Welborn, Chair):

3/13/2015

Correctly printed: **SB 22, SB 79, SB 152, SB 219, SB 232, SB 237, SB 253, SB 281, SB 294.**

Correctly engrossed: **HB 277, HB 341, HB 430, HB 560, SB 31, SB 109, SB 122, SB 126.**

Correctly enrolled: **HB 158, HB 206, HB 221, HB 466, HB 132, HB 197, HB 203, HB 222, HB 232, HB 233, HB 246, HB 298, HB 354.**

Transmitted to the Senate: **HB 140, HB 378, HJ 14, SB 77, SB 88, SB 105, SB 110.**

Signed by the Speaker at 8:30 a.m., March 14, 2015: **HB 43, HB 53, HB 80, HB 83, HB 88, HB 98, HB 129, HB 133, HB 165, HB 186, HB 187, HB 260.**

Signed by the Chief Clerk of the House at 9:00 a.m., March 14, 2015: **HB 43, HB 53, HB 80, HB 83, HB 88, HB 98, HB 129, HB 133, HB 165, HB 186, HB 187, HB 260.**

Delivered to the Governor for approval at 8:05 a.m., March 13, 2015: **HB 19, HB 50, HB 126.**

**REPORTS OF STANDING COMMITTEES**

**AGRICULTURE** (Redfield, Chair):

3/12/2015

**SB 31**, be amended as follows:

1. Page 5, line 18.

**Insert:** "COORDINATION SECTION. Section 3. Coordination instruction. If both House Bill No. 478 and [this act] are passed and approved, then [this act] is void on October 1, 2015."

**Renumber:** subsequent section

And, as amended, be concurred in. Report adopted.

**SB 232**, be concurred in. Report adopted.

**BUSINESS AND LABOR** (Berry, Chair):

3/13/2015

**HB 560**, introduced bill, be amended as follows:

1. Page 1, line 17.

**Following:** "15% of the"

**Insert:** "average of the"

And, as amended, do pass. Report adopted.



HOUSE JOURNAL  
FIFTY-SECOND LEGISLATIVE DAY - MARCH 13, 2015

**SB 22**, be concurred in. Report adopted.  
**SB 79**, be concurred in. Report adopted.  
**SB 152**, be concurred in. Report adopted.  
**SB 281**, be concurred in. Report adopted.

**JUDICIARY** (Bennett, Chair):  
**SB 109**, be amended as follows:

3/13/2015

1. Page 1, line 17.

**Following:** line 16

**Insert:** "COORDINATION SECTION. Section 3. Coordination instruction. If both [this act] and House Bill No. 463 are passed and approved, then [this act] is void."

**Renumber:** subsequent sections

And, as amended, be concurred in. Report adopted.

**SB 126**, be amended as follows:

1. Title, page 1, line 5.

**Following:** "TENANTS"

**Insert:** "OR LANDLORDS"

2. Page 1, line 17.

**Following:** "case of a tenant"

**Insert:** "or a landlord"

**Following:** "provided by the tenant"

**Insert:** "or the landlord"

3. Page 1, line 18.

**Following:** "complete"

**Strike:** "on transmission; or"

**Insert:** "upon return confirmation of receipt of the notice."

And, as amended, be concurred in. Report adopted.

**SB 219**, be concurred in. Report adopted.

**SB 253**, be concurred in. Report adopted.

**LOCAL GOVERNMENT** (Greef, Chair):  
**HB 430**, introduced bill, be amended as follows:

3/12/2015

1. Page 1, line 12 through line 14.

**Strike:** subsection (a) through subsection (b) in their entirety

**Insert:** "(a) a legislative member jointly appointed by the majority leaders of the house and the

HOUSE JOURNAL  
FIFTY-SECOND LEGISLATIVE DAY - MARCH 13, 2015

senate;

(b) a legislative member who is from the opposite chamber of the person appointed under subsection (1)(a) and who is jointly appointed by the minority leaders of the house and the senate;"

And, as amended, do pass. Report adopted.

**SB 237**, be concurred in. Report adopted.

**SB 294**, be concurred in. Report adopted.

**TAXATION** (Miller, Chair):

3/13/2015

**HB 277**, introduced bill, be amended as follows:

1. Page 1, line 16.

**Strike:** "4"

**Insert:** "5"

And, as amended, do pass. Report adopted.

**HB 341**, introduced bill, be amended as follows:

1. Title, page 1, line 8.

**Following:** "EMPLOYER;"

**Insert:** "EXEMPTING EMPLOYER HIGHER EDUCATION EXPENSES AND STUDENT LOAN PAYMENTS FROM WAGES FOR PURPOSES OF UNEMPLOYMENT INSURANCE AND WORKERS' COMPENSATION;"

**Strike:** "SECTION"

**Insert:** "SECTIONS"

2. Title, page 1, line 9.

**Following:** "15-30-2110,"

**Insert:** "39-51-201, AND 39-71-123,"

3. Page 1, line 25.

**Strike:** "taxpayer"

**Insert:** "employer"

4. Page 1, line 28.

**Strike:** "taxpayer"

**Insert:** "employer"

5. Page 1, line 29.

**Strike:** "a taxpayer"

**Insert:** "an employer"

HOUSE JOURNAL  
FIFTY-SECOND LEGISLATIVE DAY - MARCH 13, 2015

6. Page 2, line 3.

**Following:** line 3

**Insert:** "(4) The employer shall provide to the department, on a form provided by the department, documentation of the amount of the expenses paid or incurred by the employer for educational assistance on behalf of an employee in any tax year for which the credit is claimed under this section and the employee's taxpayer identification number.

(5) The department shall adopt rules necessary to implement and administer [section 1] and this section."

7. Page 2, line 20.

**Strike:** "taxpayer"

**Insert:** "employer"

8. Page 2, line 26.

**Strike:** "taxpayer"

**Insert:** "employer"

9. Page 2, line 28.

**Following:** "section"

**Strike:** ", "

10. Page 3, line 1.

**Strike:** "taxpayer"

**Insert:** "employer"

11. Page 5, line 28.

**Following:** "[section 3 or 4]"

**Insert:** "for a health care professional that meets the requirements of subsection (12)(a)"

12. Page 8, line 23.

**Following:** line 23

**Insert:** "**Section 6.** Section 39-51-201, MCA, is amended to read:

"**39-51-201. General definitions.** As used in this chapter, unless the context clearly requires otherwise, the following definitions apply:

(1) "Annual payroll" means the total amount of wages paid by an employer, regardless of the time of payment, for employment during a calendar year.

(2) "Base period" means:

(a) the first 4 of the last 5 completed calendar quarters immediately preceding the first day of an individual's benefit year;

(b) if the individual does not have sufficient wages to qualify for benefits under subsection (2)(a), the 4 most recently completed calendar quarters immediately preceding the first day of the individual's benefit year;

(c) in the case of a combined-wage claim pursuant to the arrangement approved by the secretary of labor of the United States, the period applicable under the unemployment law of the paying state; or

HOUSE JOURNAL  
FIFTY-SECOND LEGISLATIVE DAY - MARCH 13, 2015

(d) for an individual who fails to meet the qualifications of 39-51-2105 or a similar statute of another state because of a temporary total disability, as defined in 39-71-116, or a similar statute of another state or the United States, the first 4 quarters of the last 5 completed calendar quarters preceding the disability if a claim for unemployment benefits is filed within 24 months of the date on which the individual's disability was incurred.

(3) "Benefit year" means the 52-consecutive-week period beginning with the first day of the calendar week in which an individual files a valid claim for benefits, except that the benefit year is 53 weeks if filing a new valid claim would result in overlapping any quarter of the base period of a previously filed new claim. A subsequent benefit year may not be established in Montana until the expiration of the current benefit year. However, in the case of a combined-wage claim pursuant to the arrangement approved by the secretary of labor of the United States, the benefit year is the period applicable under the unemployment law of the paying state.

(4) "Benefits" means the money payments payable to an individual, as provided in this chapter, with respect to the individual's unemployment.

(5) "Board" means the board of labor appeals provided for in Title 2, chapter 15, part 17.

(6) "Calendar quarter" means the period of 3 consecutive calendar months ending on March 31, June 30, September 30, or December 31.

(7) "Contributions" means the money payments to the state unemployment insurance fund required by this chapter but does not include assessments under 39-51-404.

(8) "Department" means the department of labor and industry provided for in Title 2, chapter 15, part 17.

(9) (a) "Domestic or household service" means employment of persons other than members of the household for the purpose of tending to the aid and comfort of the employer or members of the employer's family, including but not limited to housecleaning and yard work.

(b) The term does not include employment beyond the scope of normal household or domestic duties, such as home health care or domiciliary care.

(10) "Employing unit" means any individual or organization, including the state government and any of its political subdivisions or instrumentalities or an Indian tribe or tribal unit, partnership, association, trust, estate, joint-stock company, insurance company, limited liability company or limited liability partnership that has filed with the secretary of state, or corporation, whether domestic or foreign, or the receiver, trustee in bankruptcy, trustee or the trustee's successor, or legal representative of a deceased person in whose employ one or more individuals perform or performed services within this state, except as provided under 39-51-204(1)(a) and (1)(p). All individuals performing services within this state for any employing unit that maintains two or more separate establishments within this state are considered to be employed by a single employing unit for all the purposes of this chapter. Each individual employed to perform or assist in performing the work of any agent or employee of an employing unit is considered to be employed by the employing unit for the purposes of this chapter, whether the individual was hired or paid directly by the employing unit or by the agent or employee, provided that the employing unit has actual or constructive knowledge of the work.

(11) "Employment office" means a free public employment office or branch of an office operated by this state or maintained as a part of a state-controlled system of public employment offices or other free public employment offices operated and maintained by the United States government or its instrumentalities as the department may approve.

HOUSE JOURNAL  
FIFTY-SECOND LEGISLATIVE DAY - MARCH 13, 2015

(12) "Fund" means the unemployment insurance fund established by this chapter to which all contributions and payments in lieu of contributions must be paid and from which all benefits provided under this chapter must be paid.

(13) "Gross misconduct" means a criminal act, other than a violation of a motor vehicle traffic law, for which an individual has been convicted in a criminal court or has admitted or conduct that demonstrates a flagrant and wanton disregard of and for the rights, title, or interest of a fellow employee or the employer.

(14) "Hospital" means an institution that has been licensed, certified, or approved by the state as a hospital.

(15) "Independent contractor" means an individual working under an independent contractor exemption certificate provided for in 39-71-417.

(16) "Indian tribe" means an Indian tribe as defined in the Indian Self-Determination and Education Assistance Act, 25 U.S.C. 450b(e).

(17) (a) "Institution of higher education", for the purposes of this part, means an educational institution that:

(i) admits as regular students only individuals having a certificate of graduation from a high school or the recognized equivalent of a certificate;

(ii) is legally authorized in this state to provide a program of education beyond high school;

(iii) provides an educational program for which the institution awards a bachelor's or higher degree or provides a program that is acceptable for full credit toward a bachelor's or higher degree, a program of postgraduate or postdoctoral studies, or a program of training to prepare students for gainful employment in a recognized occupation; and

(iv) is a public or other nonprofit institution.

(b) All universities in this state are institutions of higher education for purposes of this part.

(18) "Licensed and practicing health care provider" means a health care provider who is primarily responsible for the treatment of a person seeking unemployment insurance benefits and who is:

(a) licensed to practice in this state as:

(i) a physician under Title 37, chapter 3;

(ii) a dentist under Title 37, chapter 4;

(iii) an advanced practice registered nurse under Title 37, chapter 8, and recognized as a nurse practitioner or certified nurse specialist by the board of nursing, established in 2-15-1734;

(iv) a physical therapist under Title 37, chapter 11;

(v) a chiropractor under Title 37, chapter 12;

(vi) a clinical psychologist under Title 37, chapter 17; or

(vii) a physician assistant under Title 37, chapter 20; or

(b) with respect to a person seeking unemployment insurance benefits who resides outside of this state, a health care provider licensed or certified as a member of one of the professions listed in subsection (18)(a) in the jurisdiction where the person seeking the benefit lives.

(19) (a) "Misconduct" includes but is not limited to the following conduct by an employee:

(i) willful or wanton disregard of the rights, title, and interests of a fellow employee or the employer, including:

(A) insubordination showing a deliberate, willful, or purposeful refusal to follow the reasonable directions, processes, or instructions of the employer;

(B) repeated inexcusable tardiness following warnings by the employer;

HOUSE JOURNAL  
FIFTY-SECOND LEGISLATIVE DAY - MARCH 13, 2015

(C) dishonesty related to employment, including but not limited to deliberate falsification of company records, theft, deliberate deception, or lying;

(D) false statements made as part of a job application process, including but not limited to deliberate falsification of the individual's criminal history, work record, or educational or licensure achievements;

(E) repeated and inexcusable absences, including absences for which the employee was able to give advance notice and failed to do so;

(F) deliberate acts that are illegal, provoke violence or violation of the law, or violate a collective bargaining agreement by which the employee is covered. However, an employee who engages in lawful union activity may not be disqualified because of misconduct under this subsection (19)(a)(i)(F).

(G) violations of a company rule if the rule is reasonable and if the claimant knew or should have known of the existence of the rule; or

(H) actions by the claimant who, while acting within the scope of employment, commits violations of law that significantly affect the claimant's job performance or that significantly harm the employer's ability to do business;

(ii) deliberate violations or disregard of established employer standards or of standards of behavior that the employer has the right to expect of an employee;

(iii) carelessness or negligence that causes or is likely to cause serious bodily harm to the employer or a fellow employee; or

(iv) carelessness or negligence of a degree or that reoccurs to a degree to show an intentional or substantial disregard of the employer's interest.

(b) The term does not include:

(i) inefficiency, unsatisfactory conduct, or failure to perform well as the result of inability or incapacity;

(ii) inadvertent or ordinary negligence in isolated instances; or

(iii) good faith errors in judgment or discretion.

(20) "No-additional-cost service" has the meaning provided in section 132 of the Internal Revenue Code, 26 U.S.C. 132.

(21) "State" includes, in addition to the states of the United States of America, the District of Columbia, Puerto Rico, the Virgin Islands, and Canada.

(22) "Taxes" means contributions and assessments required under this chapter but does not include penalties or interest for past-due or unpaid contributions or assessments.

(23) "Tribal unit" means an Indian tribe and any tribal subdivision or subsidiary or any business enterprise that is wholly owned by that tribe.

(24) "Unemployment insurance administration fund" means the unemployment insurance administration fund established by this chapter from which administrative expenses under this chapter must be paid.

(25) (a) "Wages", unless specifically exempted under subsection (25)(b), means all remuneration payable for personal services, including the cash value of all remuneration paid in any medium other than cash. The reasonable cash value of remuneration payable in any medium other than cash must be estimated and determined pursuant to rules prescribed by the department. The term includes but is not limited to:

(i) commissions, bonuses, and remuneration paid for overtime work, holidays, vacations, and sickness periods;

HOUSE JOURNAL  
FIFTY-SECOND LEGISLATIVE DAY - MARCH 13, 2015

(ii) severance or continuation pay, backpay, and any similar pay made for or in regard to previous service by the employee for the employer, other than retirement or pension benefits from a qualified plan; and

(iii) tips or other gratuities received by the employee, to the extent that the tips or gratuities are documented by the employee to the employer for tax purposes.

(b) The term does not include:

(i) the amount of any payment made by the employer for employees, if the payment was made for:

(A) retirement or pension pursuant to a qualified plan as defined under the provisions of the Internal Revenue Code;

(B) sickness or accident disability under a workers' compensation policy;

(C) medical or hospitalization expenses in connection with sickness or accident disability, including health insurance for the employee or the employee's immediate family; or

(D) death, including life insurance for the employee or the employee's immediate family;

(ii) employee expense reimbursements or allowances for meals, lodging, travel, subsistence, or other expenses, as set forth in department rules;

(iii) a no-additional-cost service;

(iv) wage subsidies received pursuant to the alternative trade adjustment assistance for older workers program, 19 U.S.C. 2318; ~~or~~

(v) the amount paid as a salary, draw, or profit distribution to a sole proprietor, a working member of a partnership, or a member of a limited liability company that is treated as a partnership or sole proprietorship pursuant to 39-51-207 or to a partner in a limited partnership that has filed with the secretary of state when the salary, draw, or profit distribution is paid directly by the enterprise in which the payee has an ownership interest; or

(vi) expenses paid or incurred by an employer for educational assistance on behalf of an employee provided for in [sections 1 and 2] or student loan repayments for an employee provided for in [sections 3 and 4].

(26) "Week" means a period of 7 consecutive calendar days ending at midnight on Saturday.

(27) "Weekly benefit amount" means the amount of benefits that an individual would be entitled to receive for 1 week of total unemployment."

**Insert: "Section 7.** Section 39-71-123, MCA, is amended to read:

**"39-71-123. Wages defined.** (1) "Wages" means all remuneration paid for services performed by an employee for an employer, or income provided for in subsection (1)(d). Wages include the cash value of all remuneration paid in any medium other than cash. The term includes but is not limited to:

(a) commissions, bonuses, and remuneration at the regular hourly rate for overtime work, holidays, vacations, and periods of sickness;

(b) backpay or any similar pay made for or in regard to previous service by the employee for the employer, other than retirement or pension benefits from a qualified plan;

(c) tips or other gratuities received by the employee, to the extent that tips or gratuities are documented by the employee to the employer for tax purposes;

(d) income or payment in the form of a draw, wage, net profit, or substitute for money received or taken by a sole proprietor or partner, regardless of whether the sole proprietor or partner has performed work or provided services for that remuneration;

HOUSE JOURNAL  
FIFTY-SECOND LEGISLATIVE DAY - MARCH 13, 2015

(e) board, lodging, rent, or housing if it constitutes a part of the employee's remuneration and is based on its actual value; and

(f) payments made to an employee on any basis other than time worked, including but not limited to piecework, an incentive plan, or profit-sharing arrangement.

(2) The term "wages" does not include any of the following:

(a) employee expense reimbursements or allowances for meals, lodging, travel, subsistence, and other expenses, as set forth in department rules;

(b) the amount of the payment made by the employer for employees, if the payment was made for:

(i) retirement or pension pursuant to a qualified plan as defined under the provisions of the Internal Revenue Code;

(ii) sickness or accident disability under a workers' compensation policy;

(iii) medical or hospitalization expenses in connection with sickness or accident disability, including health insurance for the employee or the employee's immediate family;

(iv) death, including life insurance for the employee or the employee's immediate family;

(c) vacation or sick leave benefits accrued but not paid;

(d) special rewards for individual invention or discovery; or

(e) monetary and other benefits paid to a person as part of public assistance, as defined in 53-4-201; or

(f) expenses paid or incurred by an employer for educational assistance on behalf of an employee provided for in [sections 1 and 2] or student loan repayments for an employee provided for in [sections 3 and 4].

(3) (a) Except as provided in subsection (3)(b), for compensation benefit purposes, the average actual earnings for the four pay periods immediately preceding the injury are the employee's wages, except that if the term of employment for the same employer is less than four pay periods, the employee's wages are the hourly rate times the number of hours in a week for which the employee was hired to work.

(b) For good cause shown, if the use of the last four pay periods does not accurately reflect the claimant's employment history with the employer, the wage may be calculated by dividing the total earnings for an additional period of time, not to exceed 1 year prior to the date of injury, by the number of weeks in that period, including periods of idleness or seasonal fluctuations.

(4) (a) For the purpose of calculating compensation benefits for an employee working concurrent employments, the average actual wages must be calculated as provided in subsection (3). As used in this subsection, "concurrent employment" means employment in which the employee was actually employed at the time of the injury and would have continued to be employed without a break in the term of employment if not for the injury.

(b) Except as provided in 39-71-118(10)(c), the compensation benefits for a covered volunteer must be based on the average actual wages in the volunteer's regular employment, except self-employment as a sole proprietor or partner who elected not to be covered, from which the volunteer is disabled by the injury incurred.

(c) The compensation benefits for an employee working at two or more concurrent remunerated employments must be based on the aggregate of average actual wages of all employments, except for the wages earned by individuals while engaged in the employments outlined in 39-71-401(3)(a) who elected not to be covered, from which the employee is disabled by the injury incurred.

(5) For the purposes of calculating compensation benefits for an employee working for an



HOUSE JOURNAL  
FIFTY-SECOND LEGISLATIVE DAY - MARCH 13, 2015

employer, as provided in 39-71-117(1)(d), and for calculating premiums to be paid by that employer, the wages must be based upon all hours worked multiplied by the mean hourly wage by area, as published by the department in the edition of Montana Informational Wage Rates by Occupation, adopted annually by the department, that is in effect as of the date of injury or for the period in which the premium is due."

**Renumber:** subsequent sections

And, as amended, do pass. Report adopted.

**SB 122**, be amended as follows:

1. Title, page 1, line 16.

**Following:** "AND"

**Insert:** "AN"

**Strike:** "DATES"

**Insert:** "DATE"

2. Page 14, line 9.

**Strike:** "Retroactive applicability -- applicability"

**Insert:** "Applicability"

3. Page 14, line 9 through line 12.

**Strike:** "(1)" on line 9 through "[this act]" on line 12

**Insert:** "[This act]"

And, as amended, be concurred in. Report adopted.

**MESSAGES FROM THE SENATE**

**House bills** concurred in and returned to the House:

3/11/2015

**HB 80**, introduced by Lynch

**HB 187**, introduced by Steenberg

**HB 296**, introduced by Noonan

**House bill** concurred in as amended and returned to the House for concurrence in Senate amendments:

3/11/2015

**HB 95**, introduced by McCarthy

**Senate joint resolution** passed and transmitted to the House for concurrence:

3/11/2015

**SJR 3**, introduced by Driscoll

HOUSE JOURNAL  
FIFTY-SECOND LEGISLATIVE DAY - MARCH 13, 2015

**FIRST READING AND COMMITMENT OF BILLS**

The following House bill was introduced, read first time, and referred to committee:

**HB 607**, introduced by K. Wagoner, referred to State Administration.

The following Senate joint resolution was introduced, read first time, and referred to committee:

**SJR 3**, introduced by R. Driscoll (by request of the Law and Justice Interim Committee), referred to Judiciary.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative D. Moore in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 12 - Senate Amendments** - Representative Hill moved Senate amendments to **HB 12** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Greef, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Moore, Mortensen, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Richmond, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 63

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Garner, Glimm, Hagstrom, Harris, Hess, Jones, Lamm, Lang, Laszloffy, Mandeville, Manzella, McKamey, Meyers, Monforton, Noland, Olszewski, Randall, Redfield, Regier, Ricci, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, White, Zolnikov.

Total 37

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
FIFTY-SECOND LEGISLATIVE DAY - MARCH 13, 2015

**HB 90 - Senate Amendments** - Representative Olsen moved Senate amendments to **HB 90** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Moore, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.  
Total 81

Nays: J. Bennett, Berglee, B. Brown, Doane, Glimm, Harris, Lamm, Manzella, Meyers, Monforton, Mortensen, Olszewski, Pinocci, Regier, Schwaderer, Tschida, White, Wittich, Zolnikov.  
Total 19

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 135 - Senate Amendments** - Representative Eck moved Senate amendments to **HB 135** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 98

Nays: Tschida, White.  
Total 2

Excused: None.  
Total 0

HOUSE JOURNAL  
FIFTY-SECOND LEGISLATIVE DAY - MARCH 13, 2015

Absent or not voting: None.

Total 0

**HB 488** - Representative Regier moved **HB 488** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wittich, Woods, Mr. Speaker.

Total 88

Nays: B. Bennett, B. Brown, Cook, Cuffe, Lamm, McCarthy, Miller, Peppers, Schwaderer, Smith, Wilson, Zolnikov.

Total 12

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HJR 13** - Representative White moved **HJR 13** be adopted. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Perry, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 68

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Karjala, Kelker, Kipp III, Lieser, MacDonald, Noonan, Olsen, Pease-Lopez, Peppers, Person, Pope, Price, Schreiner, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 32

Excused: None.

Total 0

HOUSE JOURNAL  
FIFTY-SECOND LEGISLATIVE DAY - MARCH 13, 2015

Absent or not voting: None.

Total 0

**SB 39** - Representative McConnell moved **SB 39** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 99

Nays: Zolnikov.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 41** - Representative Steenberg moved **SB 41** be concurred in.

**SB 41** - Representative Wittich moved **SB 41**, second reading copy, be amended as follows:

1. Page 4, line 22.

**Strike:** "A COPY" through "MEMBERS"

**Insert:** "The statements required in 35-8-202(1)(i) and (1)(j)"

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 49

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch,

HOUSE JOURNAL  
FIFTY-SECOND LEGISLATIVE DAY - MARCH 13, 2015

MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 51

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 41** - Representative Steenberg moved **SB 41** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Greef, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 59

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Hagstrom, Harris, Hertz, Hess, Jones, Lamm, Lang, Laszloffy, Mandeville, Manzella, McKamey, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Randall, Redfield, Regier, Schwaderer, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 200** - Representative Cook moved **SB 200** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

HOUSE JOURNAL  
FIFTY-SECOND LEGISLATIVE DAY - MARCH 13, 2015

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 42

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 241** - Representative Staffanson moved **SB 241** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair D. Moore moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Custer, Doane, Dunwell, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Peppers, Person, Pierson, Pinocci, Randall, Redfield, Regier,

HOUSE JOURNAL  
FIFTY-SECOND LEGISLATIVE DAY - MARCH 13, 2015

Ricci, Richmond, Salomon, Schwaderer, Shaw, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wittich, Zolnikov, Mr. Speaker.  
Total 79

Nays: B. Bennett, Berry, Curdy, Dudik, Eck, Essmann, Funk, Hill, Lieser, MacDonald, Mehlhoff, Olsen, Pease-Lopez, Perry, Pope, Price, Schreiner, Smith, Wilson, Woods.  
Total 20

Excused: None.  
Total 0

Absent or not voting: Staffanson.  
Total 1

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 158** passed as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 57

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Lamm, Laszloffy, Lavin, Mandeville, Manzella, Monforton, Mortensen, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 43

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0



HOUSE JOURNAL  
FIFTY-SECOND LEGISLATIVE DAY - MARCH 13, 2015

**HB 206** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 221** passed as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.  
Total 86

Nays: Ballance, Burnett, Cook, Doane, Glimm, Hess, Laszloffy, Manzella, Noland, Pinocci, Schwaderer, Wagoner, Welborn, Zolnikov.  
Total 14

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
FIFTY-SECOND LEGISLATIVE DAY - MARCH 13, 2015

**HB 300** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 88

Nays: Berglee, Brodehl, B. Brown, Doane, Flynn, Hertz, Mandeville, Monforton, Wagoner, Wittich, Zolnikov.

Total 11

Excused: None.

Total 0

Absent or not voting: Olsen.

Total 1

**HB 477 failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Shaw, Staffanson, Tschida, Wagoner, White, Wittich, Mr. Speaker.

Total 50

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Schwaderer, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Zolnikov.

Total 50

Excused: None.

Total 0

HOUSE JOURNAL  
FIFTY-SECOND LEGISLATIVE DAY - MARCH 13, 2015

Absent or not voting: None.  
Total 0

**SB 96** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 96

Nays: Doane, Monforton, Wittich, Zolnikov.  
Total 4

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 111** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 95

Nays: Burnett, Essmann, Monforton, Wittich, Zolnikov.  
Total 5

HOUSE JOURNAL  
FIFTY-SECOND LEGISLATIVE DAY - MARCH 13, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 119** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dunwell, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hollandsworth, Holmlund, Hunter, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Peppers, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wittich, Zolnikov, Mr. Speaker.

Total 86

Nays: B. Bennett, Dudik, Eck, Hill, Jacobson, McConnell, Olsen, Pease-Lopez, Perry, Person, Schreiner, Smith, Wilson, Woods.

Total 14

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**MOTIONS**

Majority Leader Regier moved **HB 488** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **SB 200** be moved from the Committee of the Whole to the Appropriations Committee.

Representative Olsen moved to change their vote on **SB 96** from Not Voting to Yes. Without objection, so ordered.

Representative McKamey moved to change their vote on **HB 300** from No to Yes. Without objection, so ordered.

HOUSE JOURNAL  
FIFTY-SECOND LEGISLATIVE DAY - MARCH 13, 2015

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 8:00 a.m., Saturday, March 14, 2015. Motion carried.

House adjourned at 2:47 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
FIFTY-THIRD LEGISLATIVE DAY**

Helena, Montana  
March 14, 2015

House Chambers  
State Capitol

House convened at 8:00 a.m. Mr. Speaker presiding. Invocation by Representative Greef. Pledge of Allegiance to the Flag. Roll Call. All members present, except Representatives Z. Brown, Garner, and McConnell, excused. Quorum present.

Representative Williams rose on a **Point of Personal Privilege**. Representative Williams stated that in the previous days discussion on SB 200, a tax bill, she used the old fiscal note not the current one. She stated that she has a penchant for being accurate and apologized for any confusion.

**BILLS** (Welborn, Chair):

3/14/2015

Correctly printed: **SB 141, SB 180, SB 240.**

Correctly engrossed: **HB 433, SB 255.**

Correctly enrolled: **HB 12, HB 90, HB 135.**

Signed by the Speaker at 2:35 p.m., March 16, 2015: **HB 61, HB 250, HB 296.**

Signed by the Chief Clerk of the House at 2:46 p.m., March 16, 2015: **HB 61, HB 250, HB 296.**

**REPORTS OF STANDING COMMITTEES**

**EDUCATION** (Laszloffy, Chair):

3/13/2015

**HB 433**, introduced bill, be amended as follows:

1. Page 2, line 5.

**Strike:** "2016"

**Insert:** "2015"

And, as amended, do pass. Report adopted.

**SB 141**, be concurred in. Report adopted.

**SB 240**, be concurred in. Report adopted.

**SB 255**, be amended as follows:

1. Page 1, line 22.

**Following:** "\$1,000"

**Insert:** "prorated"

2. Page 1, line 25.

**Following:** "\$1,000"

**Insert:** "prorated"

And, as amended, be concurred in. Report adopted.

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923

HOUSE JOURNAL  
FIFTY-THIRD LEGISLATIVE DAY - MARCH 14, 2015

**MESSAGES FROM THE SENATE**

**House bills** concurred in as amended and returned to the House for concurrence in Senate amendments:

3/12/2015

**HB 100**, introduced by Garner  
**HB 183**, introduced by Mandeville  
**HB 193**, introduced by Salomon  
**HB 241**, introduced by Berry

**House bills** concurred in and returned to the House:

3/12/2015

**HB 132**, introduced by Garner  
**HB 197**, introduced by Regier  
**HB 203**, introduced by Wittich  
**HB 222**, introduced by Hollandsworth  
**HB 232**, introduced by Dudik  
**HB 233**, introduced by Tropila  
**HB 246**, introduced by Perry  
**HB 298**, introduced by Harris  
**HB 354**, introduced by Brodehl  
**HB 466**, introduced by Miller

**Senate bill** passed and transmitted to the House for concurrence:

3/12/2015

**SB 380**, introduced by Larsen

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 608**, introduced by M. MacDonald, R. Driscoll, referred to Agriculture.  
**HB 609**, introduced by E. Lieser, referred to Taxation.  
**HB 610**, introduced by Z. Brown, B. Bennett, S. Laszloffy, K. McCarthy, N. McConnell, A. Person, N. Schwaderer, referred to Education.  
**HB 611**, introduced by R. Peppers, D. Moore, referred to Human Services.  
**HB 612**, introduced by K. Dudik, R. Brodehl, K. Hansen, K. Holmlund, C. Wolken, referred to Judiciary.

The following Senate bill was introduced, read first time, and referred to committee:

**SB 380**, introduced by C. Larsen, referred to State Administration.

HOUSE JOURNAL  
FIFTY-THIRD LEGISLATIVE DAY - MARCH 14, 2015

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Berglee in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 162 - Senate Amendments** - Representative Schwaderer moved Senate amendments to **HB 162** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 92

Nays: Ballance, J. Bennett, B. Brown, Burnett, Glimm, Hess, Jones, Wittich.  
Total 8

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HJR 7** - Representative Steenberg moved **HJR 7** be adopted. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 92



HOUSE JOURNAL  
FIFTY-THIRD LEGISLATIVE DAY - MARCH 14, 2015

Nays: J. Bennett, B. Brown, Burnett, Cook, Doane, Monforton, Schwaderer, Wittich.  
Total 8

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 42** - Representative Cook moved **SB 42** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 82

Nays: J. Bennett, B. Brown, Burnett, Doane, Glimm, Hertz, Hess, Jones, Lamm, Manzella, Miller, Monforton, Mortensen, Redfield, Staffanson, Wagoner, White, Wittich.  
Total 18

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 56** - Representative G. Bennett moved **SB 56** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

HOUSE JOURNAL  
FIFTY-THIRD LEGISLATIVE DAY - MARCH 14, 2015

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 57** - Representative Fitzpatrick moved **SB 57** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 85

Nays: J. Bennett, Brodehl, B. Brown, Doane, Essmann, Glimm, Lamm, Manzella, McKamey, Miller, Monforton, Moore, Pinocci, Tschida, Wittich.

Total 15

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 74** - Representative McKamey moved **SB 74** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 91

HOUSE JOURNAL  
FIFTY-THIRD LEGISLATIVE DAY - MARCH 14, 2015

Nays: Fitzpatrick, Glimm, Hertz, Jones, Lamm, Manzella, Miller, Pinocci, Schwaderer.  
Total 9

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 80** - Representative McKamey moved **SB 80** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 89** - Representative B. Bennett moved **SB 89** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

HOUSE JOURNAL  
FIFTY-THIRD LEGISLATIVE DAY - MARCH 14, 2015

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Berglee moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Essmann.

Total 1

Excused: Z. Brown, Garner, McConnell.

Total 3

Absent or not voting: None.

Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 12** passed as follows:

Yeas: B. Bennett, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Greef, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, Mehlhoff,

HOUSE JOURNAL  
FIFTY-THIRD LEGISLATIVE DAY - MARCH 14, 2015

Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 59

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Flynn, Glimm, Hagstrom, Harris, Hess, Jones, Lamm, Lang, Laszloffy, Mandeville, Manzella, McKamey, Meyers, Monforton, Noland, Pinocci, Randall, Redfield, Regier, Ricci, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, White, Zolnikov.

Total 37

Excused: Z. Brown, Garner, McConnell.

Total 3

Absent or not voting: Kipp III.

Total 1

**HB 90** passed as follows:

Yeas: Ballance, B. Bennett, Berry, Brodehl, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 78

Nays: J. Bennett, Berglee, B. Brown, Doane, Glimm, Lamm, Laszloffy, Manzella, Monforton, Mortensen, Pinocci, Randall, Regier, Staffanson, Tschida, White, Wittich, Zolnikov.

Total 18

Excused: Z. Brown, Garner, McConnell.

Total 3

Absent or not voting: Kipp III.

Total 1

**HB 135** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy,

HOUSE JOURNAL  
FIFTY-THIRD LEGISLATIVE DAY - MARCH 14, 2015

Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 94

Nays: White, Zolnikov.

Total 2

Excused: Z. Brown, Garner, McConnell.

Total 3

Absent or not voting: Kipp III.

Total 1

**HJR 13** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Perry, Person, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 69

Nays: B. Bennett, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Hayman, Hill, Hunter, Karjala, Kelker, Lieser, MacDonald, Noonan, Olsen, Pease-Lopez, Peppers, Pope, Price, Schreiner, Steenberg, Swanson, Tropila, Webber, Williams, Wilson.

Total 27

Excused: Z. Brown, Garner, McConnell.

Total 3

Absent or not voting: Kipp III.

Total 1

**SB 39** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy,

HOUSE JOURNAL  
FIFTY-THIRD LEGISLATIVE DAY - MARCH 14, 2015

Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 95

Nays: Zolnikov.

Total 1

Excused: Z. Brown, Garner, McConnell.

Total 3

Absent or not voting: Kipp III.

Total 1

**SB 41** concurred in as follows:

Yeas: B. Bennett, Berry, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Greef, Hagstrom, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Lynch, MacDonald, McCarthy, McClafferty, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Mr. Speaker.

Total 53

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Harris, Hertz, Jones, Lamm, Lang, Laszloffy, Lavin, Lieser, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Schwaderer, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov.

Total 43

Excused: Z. Brown, Garner, McConnell.

Total 3

Absent or not voting: Kipp III.

Total 1

**SB 241** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville,

HOUSE JOURNAL  
FIFTY-THIRD LEGISLATIVE DAY - MARCH 14, 2015

Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Lieser, Lynch, MacDonald, McCarthy, McClafferty, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 38

Excused: Z. Brown, Garner, McConnell.

Total 3

Absent or not voting: Kipp III.

Total 1

**MOTIONS**

Majority Leader Regier moved **SB 57** be moved from the Committee of the Whole to the Appropriations Committee.

Representative McClafferty moved to change their vote on **SB 241** from Yes to No. Without objection, so ordered.

Representative G. Bennett moved to reconsider action on **HB 477** and that **HB 477** be placed on third reading on Monday, March 16th, 2015.

Motion **passed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Monforton, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Shaw, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 51

Nays: B. Bennett, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, Mehlhoff, Miller, Moore, Mortensen, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Schwaderer, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 46



HOUSE JOURNAL  
FIFTY-THIRD LEGISLATIVE DAY - MARCH 14, 2015

Excused: Z. Brown, Garner, McConnell.

Total 3

Absent or not voting: None.

Total 0

**UNFINISHED BUSINESS**

Mr. Speaker, I move that the following undersigned name be **REMOVED** as sponsor to **HB 602**  
Motion carried.

**HB 602** (S. Staffanson, Chief Sponsor)  
Richmond.

**SPECIAL ORDERS OF THE DAY**

Representative Miller thanked the pages for their service.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Monday, March 16, 2015.  
Motion carried.

House adjourned at 8:53 a.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
FIFTY-FOURTH LEGISLATIVE DAY**

Helena, Montana  
March 16, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Tschida. Pledge of Allegiance to the Flag. Roll Call. All members present. Quorum present.

**BILLS** (Welborn, Chair):

3/16/2015

Correctly printed: **SB 332.**

Correctly enrolled: **HB 162, HB 225.**

Transmitted to the Senate: **HB 300, HJR 13, SB 39, SB 41, SB 96, SB 111, SB 119, SB 241.**

Signed by the Speaker at 3:40 p.m., March 16, 2015: **HB 158, HB 206, HB 221, HB 466.**

Signed by the Chief Clerk of the House at 3:48 p.m., March 16, 2015: **HB 158, HB 206, HB 221, HB 466.**

Signed by the President at 9:05 a.m., March 16, 2015: **HB 43, HB 53, HB 80, HB 83, HB 88, HB 98, HB 129, HB 133, HB 165, HB 186, HB 187, HB 260.**

Signed by the President at 3:45 p.m., March 16, 2015: **HB 61, HB 250, HB 296.**

Delivered to the Governor for approval at 12:01 p.m., March 16, 2015: **HB 43, HB 53, HB 80, HB 83, HB 88, HB 98, HB 129, HB 133, HB 165, HB 186, HB 187, HB 260.**

**LEGISLATIVE ADMINISTRATION** (Welborn, Chair):

3/16/2015

MR. SPEAKER:

We, your committee on Legislative Administration recommend that employment of the following pages of the House be ceased as of 12:00 p.m., Saturday, March 14, 2015:

Nichole Lake, Polson  
Emma Carlson, Helena  
Andriy Proctor, Helena  
Marcus Hughes, Helena  
Chase Smith, Helena  
Faith Scow, Helena  
Mary Claire Miltenberger, Clancy  
Canyon Hohenstein, Belgrade

and recommend that the following pages of the House be employed as of 1:00 p.m., Monday, March 16, 2015:

Michael Monaco, Anaconda  
Jordan Noyd, Anaconda  
Marley Manoukian, Malta  
Maria Thomson, Helena  
Anna Maraonick, East Helena

HOUSE JOURNAL  
FIFTY-FOURTH LEGISLATIVE DAY - MARCH 16, 2015

Dale Royer, Jackson  
Anna Balian, Bozeman  
Jamie Severson, Belgrade

Report Adopted.

**REPORTS OF STANDING COMMITTEES**

**TRANSPORTATION** (Lavin, Chair):  
**SB 332**, be concurred in. Report adopted.

3/13/2015

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Osmundson in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 277** - Representative Clark moved **HB 277** do pass. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 77

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Glimm, Hagstrom, Hertz, Jones, Lamm, Manzella, Monforton, Mortensen, Pinocci, Redfield, Regier, Schwaderer, Staffanson, Wagoner, Wittich, Zolnikov.

Total 23

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
FIFTY-FOURTH LEGISLATIVE DAY - MARCH 16, 2015

**HB 341** - Representative Harris moved **HB 341** do pass. Motion carried as follows:

Yeas: B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Clark, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 85

Nays: Ballance, J. Bennett, Brodehl, Burnett, Cook, Cuffe, Hagstrom, Jones, Monforton, Redfield, Regier, Ricci, Schwaderer, Wagoner, Zolnikov.

Total 15

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 560** - Representative Hertz moved **HB 560** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: Cook, Dudik, Fitzpatrick, Holmlund, Noonan, Schreiner.

Total 6

Excused: None.

Total 0

Absent or not voting: Harris.

Total 1

HOUSE JOURNAL  
FIFTY-FOURTH LEGISLATIVE DAY - MARCH 16, 2015

**HB 587** - Representative Regier moved **HB 587** do pass.

**HB 587** - Representative Hill moved **HB 587**, second reading copy, be amended as follows:

1. Title, page 1, line 6.

**Following:** "WOMAN"

**Insert:** "OR A VASECTOMY TO A MAN CAPABLE OF FERTILITY"

2. Page 1, line 11.

**Following:** the first "abortion"

**Insert:** "or a vasectomy"

**Following:** the second "abortion"

**Insert:** "or vasectomy"

**Following:** "woman"

**Insert:** "or a man capable of fertility"

3. Page 1, line 12.

**Following:** "woman"

**Insert:** "or a man capable of fertility"

4. Page 1, line 13.

**Following:** "abortion"

**Insert:** "or vasectomy"

**Following:** "woman"

**Insert:** "or the man"

5. Page 1, line 23.

**Following:** "abortion"

**Insert:** "or a vasectomy"

6. Page 1, line 24.

**Following:** "abortion"

**Insert:** "or a vasectomy"

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kipp III, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Schwaderer, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 45

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom,

HOUSE JOURNAL  
FIFTY-FOURTH LEGISLATIVE DAY - MARCH 16, 2015

Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Kelker, Lamm, Lang, Laszloffy, Lavin, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Mr. Speaker.

Total 55

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 587** - Representative Regier moved **HB 587** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 54

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 46

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 21** - Representative Lieser moved **SB 21** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Z. Brown, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Hagstrom, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 59

HOUSE JOURNAL  
FIFTY-FOURTH LEGISLATIVE DAY - MARCH 16, 2015

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Doane, Ehli, Fitzpatrick, Greef, Harris, Hertz, Hess, Holmlund, Lamm, Lang, Laszloffy, Mandeville, Manzella, Meyers, Monforton, Moore, Mortensen, Noland, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 41

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 22** - Representative Lynch moved **SB 22** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Mortensen, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 69

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Doane, Ehli, Fitzpatrick, Flynn, Glimm, Hertz, Hess, Jones, Lamm, Laszloffy, Manzella, Miller, Monforton, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Salomon, Tschida, Wagoner, White, Wittich.  
Total 31

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 31** - Representative Hertz moved **SB 31** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson,

HOUSE JOURNAL  
FIFTY-FOURTH LEGISLATIVE DAY - MARCH 16, 2015

Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 99

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: Lang.  
Total 1

**SB 94** - Representative Fitzpatrick moved **SB 94** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 97

Nays: Cook, Miller, White.  
Total 3

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Osmundson moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Custer, Doane, Dunwell, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, Manzella, McConnell, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland,



HOUSE JOURNAL  
FIFTY-FOURTH LEGISLATIVE DAY - MARCH 16, 2015

Noonan, Olszewski, Osmundson, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Steenberg, Tropila, Tschida, Wagoner, Webber, Welborn, White, Wittich, Mr. Speaker.  
Total 80

Nays: B. Bennett, Curdy, Dudik, Eck, Essmann, Funk, Karjala, MacDonald, McCarthy, McClafferty, Mehlhoff, Olsen, Pease-Lopez, Schreiner, Smith, Swanson, Williams, Wilson, Woods.  
Total 19

Excused: Zolnikov.  
Total 1

Absent or not voting: None.  
Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 162** passed as follows:

Yeas: J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Woods, Mr. Speaker.  
Total 86

Nays: Ballance, B. Bennett, Burnett, Dudik, Glimm, Hayman, Hess, Jones, Kelker, MacDonald, Pease-Lopez, Wilson, Wittich.  
Total 13

Excused: Zolnikov.  
Total 1

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
FIFTY-FOURTH LEGISLATIVE DAY - MARCH 16, 2015

**HB 477** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Clark, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Shaw, Staffanson, Tschida, Wagoner, White, Wittich, Mr. Speaker.

Total 51

Nays: B. Bennett, Berry, Z. Brown, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Schwaderer, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 48

Excused: Zolnikov.

Total 1

Absent or not voting: None.

Total 0

**HJR 7** adopted as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 90

Nays: J. Bennett, B. Brown, Burnett, Cook, Doane, Glimm, Monforton, Schwaderer, Wittich.

Total 9

Excused: Zolnikov.

Total 1

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
FIFTY-FOURTH LEGISLATIVE DAY - MARCH 16, 2015

**SB 42** concurred in as follows:

Yeas: Ballance, B. Bennett, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Funk, Garner, Hagstrom, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.  
Total 75

Nays: J. Bennett, Berglee, B. Brown, Burnett, Doane, Fiscus, Flynn, Glimm, Greef, Hertz, Hess, Jones, Lamm, Lang, Miller, Monforton, Pinocci, Randall, Redfield, Schwaderer, Staffanson, Wagoner, White, Wittich.  
Total 24

Excused: Zolnikov.  
Total 1

Absent or not voting: None.  
Total 0

**SB 56** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.  
Total 99

Nays: None.  
Total 0

Excused: Zolnikov.  
Total 1

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
FIFTY-FOURTH LEGISLATIVE DAY - MARCH 16, 2015

**SB 74** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 87

Nays: Burnett, Fitzpatrick, Glimm, Hertz, Jones, Lamm, Manzella, Miller, Pinocci, Schwaderer, Wagoner, Welborn.

Total 12

Excused: Zolnikov.

Total 1

Absent or not voting: None.

Total 0

**SB 80** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: Zolnikov.

Total 1

HOUSE JOURNAL  
FIFTY-FOURTH LEGISLATIVE DAY - MARCH 16, 2015

Absent or not voting: None.

Total 0

**SB 89** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: Zolnikov.

Total 1

Absent or not voting: None.

Total 0

**MOTIONS**

Majority Leader Regier moved **HB 277** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **HB 341** be moved from the Committee of the Whole to the Appropriations Committee.

**UNFINISHED BUSINESS**

Mr. Speaker, I move that the following undersigned name be **REMOVED** as sponsor to **HB 602**  
Motion carried.

**HB 602** (S. Staffanson, Chief Sponsor)  
Mortensen.

HOUSE JOURNAL  
FIFTY-FOURTH LEGISLATIVE DAY - MARCH 16, 2015

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Tuesday, March 17, 2015. Motion carried.

House adjourned at 2:21 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
FIFTY-FIFTH LEGISLATIVE DAY**

Helena, Montana  
March 17, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative McCarthy. Pledge of Allegiance to the Flag. Roll Call. All members present, except Representative D. Moore, excused. Quorum present.

**BILLS** (Welborn, Chair):

3/17/2015

Correctly printed: **SB 276, SB 277, SB 338, SJR 9.**

Correctly engrossed: **HB 479, HB 576, HB 582, HB 589, HJR 21.**

Correctly enrolled: **HB 194, HB 279, HB 355, HB 390, HB 393, HJR 15.**

Transmitted to the Senate: **HB 477, HJR 7, SB 42, SB 56, SB 74, SB 80, SB 89.**

Signed by the Speaker at 10:00 a.m., March 20, 2015: **HB 12, HB 90, HB 132, HB 162, HB 197, HB 203, HB 222, HB 225, HB 232, HB 298, HB 354.**

Signed by the Chief Clerk of the House at 1:32 p.m., March 20, 2015: **HB 12, HB 90, HB 132, HB 162, HB 197, HB 203, HB 222, HB 225, HB 232, HB 298, HB 354.**

Signed by the President at 11:00 a.m., March 17, 2015: **HB 158, HB 206, HB 221, HB 466.**

Delivered to the Governor for approval at 9:00 a.m., March 17, 2015: **HB 61, HB 250, HB 296.**

Delivered to the Governor for approval at 11:34 a.m., March 17, 2015: **HB 158, HB 206, HB 221, HB 466.**

**COMMUNICATIONS AND PETITIONS**

Mr. Speaker: We, your committee on Legislative Administration, having examined the daily journals for the forty-first, forty-second, forty-third, forty-fourth, and forty-fifth legislative days, find the same to be correct.

Representative Welborn, Chair

**REPORTS OF STANDING COMMITTEES**

**HUMAN SERVICES** (Wittich, Chair):

3/16/2015

**HB 479**, introduced bill, be amended as follows:

1. Page 3, line 2 through line 4.

**Strike:** "is guilty" on line 2 through "both" on line 4

**Insert:** "may be reported to the appropriate professional licensing board. The board shall review the complaint in accordance with the provisions of Title 37, chapter 1"

2. Page 3, line 5 through line 7.

**Strike:** "conviction" on line 5

**Insert:** "violation"

HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 17, 2015

**Strike:** "guilty" on line 5 through "both" on line 7

**Insert:** "subject to forfeiture of the person's professional license"

And, as amended, do pass. Report adopted.

**HB 576**, introduced bill, be amended as follows:

1. Title, page 1, line 4 through line 5.

**Following:** "LICENSING" on line 4

**Strike:** ", " on line 4 through "CERTIFICATION" on line 5

2. Title, page 1, line 5.

**Following:** THE FIRST "OF"

**Insert:** "STATE-OPERATED"

3. Title, page 1, line 6.

**Following:** "LICENSE"

**Strike:** ", " through "CERTIFY"

**Insert:** "STATE-OPERATED"

**Following:** "FACILITIES;"

**Insert:** "PROVIDING RULEMAKING AUTHORITY;"

4. Title, page 1, line 7 through line 11.

**Strike:** "7-34-2301," on line 7 through "76-2-412," on line 11

**Insert:** "50-5-103 and 50-5-113,"

5. Page 1, line 15.

**Strike:** everything after the enacting clause

**Insert:** "NEW SECTION. Section 1. Department of justice to license health care facilities operated by state -- rulemaking authority. (1) The department of justice shall license a health care facility, as defined in 50-5-101, if the health care facility is operated by the state.

(2) (a) The department of justice shall adopt rules and minimum standards for implementation of Title 50, chapter 5, parts 1 and 2, as those parts apply to the licensing of state-operated health care facilities.

(b) The rules and standards adopted by the department of justice must be reasonably similar to those adopted by the department of public health and human services pursuant to 50-5-103 and 50-5-238.

(3) (a) The department of justice enjoys all of the rights and privileges and is subject to all of the duties and responsibilities granted to the department of public health and human services in Title 50, chapter 5, parts 1 and 2, as far as those rights, privileges, duties, and responsibilities relate to the licensing of state-operated health care facilities.

(b) A health care facility operated by the state and subject to licensing by the department of justice under this section is subject to the same duties, responsibilities, prohibitions, fees, and penalties as a health care facility licensed by the department of public



HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 17, 2015

health and human services in Title 50, chapter 5, parts 1 and 2.

(4) (a) The department of justice may bring an action for an injunction or other process against a person for the reasons listed in 50-5-108.

(b) (i) The department of justice or, on request of the department, the county attorney of the county in which the state-operated facility in question is located may petition a district court to impose a civil penalty as provided in 50-5-112.

(ii) The power to pursue other remedies, as provided to the department of public health and human services in 50-5-112(4), is granted to the department of justice to administer and enforce the provisions of this section.

(c) The department of justice may undertake an administrative action as provided in 50-5-114 and may file a complaint for receivership as provided in 50-5-115."

**Insert: "Section 2.** Section 50-5-103, MCA, is amended to read:

**"50-5-103. Rules and standards -- accreditation.** (1) The department shall adopt rules and minimum standards for implementation of parts 1 and 2, except that the department may not license a health care facility operated by the state.

(2) Any facility covered by this chapter or [section 1] shall comply with the state and federal requirements relating to construction, equipment, and fire and life safety.

(3) The department shall extend a reasonable time for compliance with rules for parts 1 and 2 upon adoption.

(4) (a) Any hospital located in this state that furnishes written evidence required by the department, including the recommendation for future compliance statements, to the department of its accreditation granted by an entity listed in subsection (4)(b) is eligible for licensure in the state for the accreditation period and may not be subjected to an inspection by the department for purposes of the licensing process.

(b) A hospital may provide evidence of its accreditation by:

(i) DNV healthcare, inc.;

(ii) the healthcare facilities accreditation program; or

(iii) the joint commission.

(c) The department may, in addition to its inspection authority in 50-5-116, inspect any licensed health care facility to answer specific complaints made in writing by any person against the facility when the complaints pertain to licensing requirements. Inspection by the department upon a specific complaint made in writing pertaining to licensing requirements is limited to the specific area or condition of the health care facility to which the complaint pertains.

(5) The department may consider as eligible for licensure during the accreditation period any health care facility located in this state, other than a hospital, that furnishes written evidence, including the recommendation for future compliance statements, of its accreditation by the joint commission. The department may inspect a health care facility considered eligible for licensure under this section to ensure compliance with state licensure standards.

(6) The department may consider as eligible for licensure during the accreditation period any rehabilitation facility that furnishes written evidence, including the recommendation for future compliance statements, of accreditation of its programs by the commission on accreditation of rehabilitation facilities. The department may inspect a rehabilitation facility considered eligible for licensure under this section to ensure compliance with state licensure standards.

HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 17, 2015

(7) The department may consider as eligible for licensure during the accreditation period any outpatient center for surgical services that furnishes written evidence, including the recommendation for future compliance statements, of accreditation of its programs by the accreditation association for ambulatory health care. The department may inspect an outpatient center for surgical services considered eligible for licensure under this section to ensure compliance with state licensure standards.

(8) The department may consider as eligible for licensure during the accreditation period any behavioral treatment program, chemical dependency treatment program, residential treatment facility, or mental health center that furnishes written evidence, including the recommendation for future compliance statements, of accreditation of its programs by the council on accreditation. The department may inspect a behavioral treatment program, chemical dependency treatment program, residential treatment facility, or mental health center considered eligible for licensure under this section to ensure compliance with state licensure standards."

**Insert: "Section 3.** Section 50-5-113, MCA, is amended to read:

**"50-5-113. Criminal penalties.** (1) A person is guilty of a criminal offense under this section if the person knowingly conceals material information about the operation of the facility or does any of the following and by doing so threatens the health or safety of one or more individuals entrusted to the care of the person:

- (a) commits an act prohibited by 50-5-111;
- (b) omits material information or makes a false statement or representation in an application, record, report, or other document filed, maintained, or used for compliance with the provisions of part 1 or 2 of this chapter or with rules, license provisions, or orders adopted or issued pursuant to part 1 or 2 or [section 1]; or
- (c) destroys, alters, conceals, or fails to file or maintain any record, information, or application required to be maintained or filed in compliance with a provision of part 1 or 2 of this chapter or in compliance with a rule, license provision, or order adopted or issued pursuant to part 1 or 2 or [section 1].

(2) A person convicted under subsection (1) is subject to a fine of not more than \$1,000 for the first offense and not more than \$2,000 for each subsequent offense for each day that a facility is in violation of a provision of part 1 or 2 of this chapter or of a rule, license provision, or order adopted or issued pursuant to part 1 or 2 or [section 1].

(3) In determining the amount of penalty to be assessed for an alleged violation under this section, the court shall consider:

- (a) the gravity of the violation in terms of the degree of physical or mental harm to a resident or patient;
- (b) the degree of harm to the health, safety, rights, security, or welfare of a resident or patient;
- (c) the degree of deviation committed by the facility from a requirement imposed by part 1 or 2 of this chapter or by a rule, license provision, or order adopted or issued pursuant to part 1 or 2 or [section 1]; and
- (d) other matters as justice may require.

(4) Prosecution under this section does not bar enforcement under any other section of this chapter or pursuit of any other appropriate remedy by the department or, if the facility is operated by the state, by the department of justice.

HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 17, 2015

(5) Venue for prosecution pursuant to this section is in the county in which the facility is located or in the first judicial district.

(6) A penalty collected under this section must be deposited in the state general fund."

**Insert:** "NEW SECTION. Section 4. Transition -- report to legislature. The department of justice shall create a transition plan to implement the provisions of [this act] by July 1, 2016. The department of public health and human services shall participate in the planning process to the extent required. The department of justice shall report to the children, families, health, and human services interim committee provided for in 5-5-225 at times requested by the committee."

**Insert:** "NEW SECTION. Section 5. Appropriation for transition support. (1) There is appropriated \$75,000 from the general fund to the department of justice for the biennium beginning July 1, 2015.

(2) The appropriation must be used to pay for two full-time equivalent personnel positions to serve as transition support to implement the provisions of [this act].

(3) The legislature intends that these positions be one-time-only positions for the biennium beginning July 1, 2015."

**Insert:** "NEW SECTION. Section 6. Effective dates. (1) Except as provided in subsection (2), [this act] is effective July 1, 2016.

(2) [Sections 4 and 5] and this section are effective July 1, 2015."

And, as amended, do pass. Report adopted.

**HB 582**, introduced bill, be amended as follows:

1. Page 2, line 3.

**Strike:** "that results in an individual's hospitalization"

**Insert:** "as provided in this part"

2. Page 2.

**Following:** line 3

**Insert:** " (2) "Critical access hospital" has the meaning provided in 50-5-101.

(3) "Department" means the department of public health and human services provided for in 2-15-2201."

**Renumber:** subsequent subsections

3. Page 2, line 4.

**Following:** "means"

**Insert:** "inpatient or outpatient"

4. Page 2, line 7.

**Strike:** "as defined in 50-5-101"

**Insert:** "or critical access hospital"

HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 17, 2015

5. Page 2.

**Following:** line 9

**Insert:** "(6) "Hospital" has the meaning provided in 50-5-101."

**Renumber:** subsequent subsections

6. Page 2, line 16.

**Strike:** "that results in hospitalization"

**Insert:** "requiring inpatient or outpatient hospital services"

7. Page 2, line 24.

**Strike:** "the following:"

**Insert:** "any health care service or procedure not covered by the Montana medicaid program provided for in Title 53, chapter 6, part 1."

8. Page 2, line 25 through page 3, line 2.

**Strike:** line 25 through line 2 in their entirety

9. Page 3, line 3 through line 4.

**Strike:** "with a home" on line 2 through "actually" on line 4

**Insert:** "who has"

10. Page 3, line 15.

**Following:** "individuals"

**Insert:** "as provided in this section.

(2) The program shall reimburse a health care provider other than a critical access hospital"

11. Page 3, line 16 through line 17.

**Following:** "a year" on line 16

**Strike:** ". The program"

**Insert:** "and"

**Strike:** "health" on line 16 through "providers" on line 17

12. Page 3.

**Following:** line 17

**Insert:** "(3) The program shall reimburse critical access hospitals for a maximum of 50% of the charity care provided to medically indigent individuals during a calendar year, according to the reimbursement schedule provided for in this section."

**Renumber:** subsequent subsections

13. Page 4, line 27.

**Following:** "income"

**Insert:** "at or"

HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 17, 2015

14. Page 5, line 1.

**Strike:** "a combination of"

**Following:** "income"

**Strike:** "and resources"

15. Page 5, line 6 through line 15.

**Strike:** subsection (3) in its entirety

16. Page 5, line 18.

**Following:** "provider"

**Insert:** "other than a critical access hospital"

17. Page 5, line 20.

**Strike:** "hospitalization."

**Insert:** "inpatient or outpatient hospital care."

(2) A critical access hospital shall submit the total amount of charity care provided during the previous 6 months. The department may reimburse a maximum of 50% of the charity care in accordance with [section 3].

(3) "

**Renumber:** subsequent subsections

18. Page 6, line 4.

**Strike:** "and resource"

19. Page 6, line 12.

**Strike:** "and resource"

20. Page 6, line 16.

**Following:** "provider"

**Insert:** "other than a critical access hospital"

21. Page 6, line 17.

**Strike:** "hospitalization. A health care provider"

**Insert:** "treatment in a hospital but"

22. Page 8, line 27 through line 28.

**Strike:** "public" on line 27 through "2-15-2602" on line 28

**Insert:** "department of public health and human services"

23. Page 9, line 15.

**Strike:** "public service commission"

**Insert:** "department"

HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 17, 2015

24. Page 11, line 16.

**Following:** "in"

**Insert:** "each year of"

25. Page 11, line 19.

**Strike:** "\$50,000"

**Insert:** "\$200,000"

26. Page 11, line 20 through line 22.

**Following:** "[section 9]" on line 20

**Strike:** "." through "2015," on line 22

**Insert:** "and"

And, as amended, do pass. Report adopted.

**HB 589**, introduced bill, be amended as follows:

1. Title, page 1, line 6 through line 8.

**Strike:** "REQUIRING FUNDING" through "APPROPRIATION;"

**Insert:** "AND"

**Following:** "DEFINITIONS;"

**Strike:** ";" through "DATE" on line 8

2. Page 1, line 12 through page 2, line 4.

**Strike:** section 1 in its entirety

**Renumber:** subsequent sections

3. Page 2, line 6.

**Strike:** "4"

**Insert:** "3"

4. Page 2, line 30.

**Strike:** "meet" through "[section 1]"

**Insert:** "prevent or mitigate adverse childhood experiences"

5. Page 3, line 26.

**Strike:** "4"

**Insert:** "3"

6. Page 3, line 29.

**Strike:** "4"

**Insert:** "3"

HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 17, 2015

7. Page 4, line 4.

**Strike:** "may"

**Insert:** "shall"

8. Page 4, line 13.

**Strike:** "may"

**Insert:** "shall"

9. Page 4, line 17 through page 6, line 24.

**Strike:** sections 5 through 7 in their entirety

**Renumber:** subsequent sections

10. Page 6, line 30.

**Strike:** "4"

**Insert:** "3"

11. Page 7, line 1.

**Strike:** "4"

**Insert:** "3"

12. Page 7, line 3.

**Strike:** section 10 in its entirety

And, as amended, do pass. Report adopted.

**SB 276**, be concurred in. Report adopted.

**SB 277**, be concurred in. Report adopted.

**SJR 9**, be concurred in. Report adopted.

**JUDICIARY** (Bennett, Chair):

3/17/2015

**HJR 21**, be adopted. Report adopted.

**TRANSPORTATION** (Lavin, Chair):

3/16/2015

**SB 180**, be concurred in. Report adopted.

**SB 338**, be concurred in. Report adopted.

**MESSAGES FROM THE SENATE**

**House bill** passed and transmitted to the House for concurrence:

3/13/2015

**HB 225**, introduced by Ricci

HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 17, 2015

**House bills** concurred in as amended and returned to the House for concurrence in Senate amendments:

3/13/2015

**HB 102**, introduced by Pinocci  
**HB 285**, introduced by Flynn  
**HB 319**, introduced by Olszewski

**MESSAGES FROM THE GOVERNOR**

March 17, 2015

The Honorable Austin Knudsen  
Speaker of the House  
State Capitol  
Helena, Montana 59620

Dear Speaker Knudsen:

Please be informed that I have signed **House Bill 19** sponsored by Representative Hill, **House Bill 80** sponsored by Representative Lynch, **House Bill 83** sponsored by Representative Hayman, and **House Bill 144** sponsored by Representative Redfield on March 17, 2015.

Sincerely,

STEVE BULLOCK  
Governor

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 613**, introduced by T. Manzella, G. Bennett, B. Brown, A. Doane, D. Mortensen, R. Pinocci, S. Staffanson, referred to Local Government.  
**HB 614**, introduced by A. Wittich, referred to Human Services.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative B. Bennett in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:



HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 17, 2015

**HB 95 - Senate Amendments** - Representative McCarthy moved Senate amendments to **HB 95** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 73

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Doane, Fitzpatrick, Glimm, Hertz, Hess, Lamm, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Pinocci, Randall, Redfield, Regier, Schwaderer, Staffanson, Tschida, White, Wittich.  
Total 27

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 183 - Senate Amendments** - Representative Mandeville moved Senate amendments to **HB 183** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Kipp III, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Webber, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 64

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Karjala, Kelker, Lieser, Lynch, MacDonald, McCarthy, McConnell, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Williams, Wilson, Woods.  
Total 36

Excused: None.  
Total 0

HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 17, 2015

Absent or not voting: None.

Total 0

**HB 433** - Representative Berglee moved **HB 433** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 53

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 47

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 97** - Representative White moved **SB 97** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 91

Nays: Brodehl, B. Brown, Ellis, Manzella, Olszewski, Tschida, Wittich, Zolnikov.

Total 8

Excused: None.

Total 0

HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 17, 2015

Absent or not voting: Wagoner.

Total 1

**SB 109** - Representative Kelker moved **SB 109** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Lavin.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 124** - Representative Lamm moved **SB 124** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Cook, McCarthy, Schwaderer, Welborn.

Total 4

Excused: None.

Total 0

HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 17, 2015

Absent or not voting: None.

Total 0

**SB 126** - Representative Berglee moved **SB 126** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, White, Williams, Wilson, Wittich, Zolnikov, Mr. Speaker.

Total 90

Nays: J. Bennett, B. Brown, Z. Brown, Dudik, Jacobson, Olsen, Schreiner, Webber, Welborn, Woods.

Total 10

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 131** - Representative Doane moved **SB 131** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 17, 2015

Absent or not voting: None.

Total 0

**SB 151** - Representative Greef moved **SB 151** be concurred in. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Ballance, Manzella, Schwaderer.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 152** - Representative Flynn moved **SB 152** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 96

Nays: Lamm, Olszewski, Wittich, Zolnikov.

Total 4

Excused: None.

Total 0

HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 17, 2015

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair B. Bennett moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Custer, Doane, Dunwell, Eck, Ehli, Ellis, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Peppers, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 89

Nays: Curdy, Dudik, Essmann, Fitzpatrick, Karjala, McCarthy, Pease-Lopez, Perry, Schreiner, Wilson.

Total 10

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 560** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 17, 2015

Total 97

Nays: Cook, Holmlund.

Total 2

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

**HB 587** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 53

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 46

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

**SB 21** concurred in as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Greef, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 58

HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 17, 2015

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Doane, Ehli, Fitzpatrick, Glimm, Hagstrom, Harris, Hertz, Hess, Holmlund, Lamm, Lang, Laszloffy, Mandeville, Manzella, Meyers, Monforton, Mortensen, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 41

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

**SB 22** concurred in as follows:

Yeas: B. Bennett, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Hagstrom, Hayman, Hill, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Mortensen, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Zolnikov.

Total 58

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Jones, Lamm, Laszloffy, Manzella, Meyers, Miller, Monforton, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Schwaderer, Tschida, Wagoner, Welborn, White, Wittich, Mr. Speaker.

Total 41

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

**SB 31** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price,



HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 17, 2015

Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

**SB 94** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 91

Nays: Cook, Glimm, Miller, Monforton, Schwaderer, White, Wittich, Zolnikov.

Total 8

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

**MOTIONS**

Majority Leader Regier moved **HB 433** be moved from the Committee of the Whole to the Appropriations Committee.

Representative Person moved to change their vote on **SB 131** from Not Voting to Yes. Without objection, so ordered.

HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 17, 2015

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 8:00 a.m., Wednesday, March 18, 2015. Motion carried.

House adjourned at 1:43 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
FIFTY-SIXTH LEGISLATIVE DAY**

Helena, Montana  
March 18, 2015

House Chambers  
State Capitol

House convened at 8:00 a.m. Mr. Speaker presiding. Invocation by Representative Court. Pledge of Allegiance to the Flag. Roll Call. All members present, except Representatives Pierson and Redfield, excused. Quorum present.

**BILLS** (Welborn, Chair):

3/18/2015

Correctly engrossed: **SB 101, SB 224.**

Correctly enrolled: **HB 54, HB 87, HB 95, HB 124, HB 183, HB 227, HB 366, HB 397, HB 436, HB 518, HB 588.**

Transmitted to the Senate: **HB 560, HB 587, SB 21, SB 22, SB 31, SB 94.**

Signed by the Speaker at 10:20 a.m., March 20, 2015: **HB 135, HB 246.**

Signed by the Chief Clerk of the House at 11:15 a.m., March 20, 2015: **HB 135, HB 246.**

Signed by the Speaker at 10:30 a.m., March 20, 2015: **HB 233, HB 279, HB 390, HB 393.**

Signed by the Chief Clerk of the House at 11:07 a.m., March 20, 2015: **HB 233, HB 279, HB 390, HB 393.**

Majority Leader Regier announced the Republicans would caucus.

Minority Leader Hunter announced the Democrats would caucus.

House stood at ease.

House reconvened.

**REPORTS OF STANDING COMMITTEES**

**JUDICIARY** (Bennett, Chair):

3/17/2015

**SB 101**, be amended as follows:

1. Page 2, line 5.

**Following:** "earnings"

**Insert:** "not to exceed 25%"

2. Page 3, line 13.

**Following:** "earnings"

**Insert:** "not to exceed 25%"

And, as amended, be concurred in. Report adopted.

HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

**SB 224**, be amended as follows:

1. Page 1, line 12 through 13.

**Strike:** "department of corrections" on line 12.

**Insert:** "legislative services division"

**Strike:** ", as provided in" on line 12 through "2-15-121" on line 13

2. Page 1, line 20.

**Strike:** "and"

3. Page 1, line 21.

**Strike:** "governor"

**Insert:** "attorney general"

4. Page 1, line 23.

**Following:** "a"

**Insert:** "private"

5. Page 1, line 24.

**Following:** line 24

**Insert:** "(iii) a probation and parole officer;"

**Renumber:** subsequent subsections

6. Page 1, line 25.

**Strike:** "OR CHIEF OF POLICE"

**Following:** ";"

**Insert:** "and"

7. Page 1, line 29.

**Strike:** "(v)"

**Insert:** "(f)"

**Following:** "defender"

**Insert:** "appointed by the chief public defender"

8. Page 1, line 30.

**Strike:** "(VI)"

**Insert:** "(g)"

**Strike:** "TWO"

**Insert:** "three"

**Following:** "SELECTED"

**Insert:** "by the governor"

HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

9. Page 2, line 1.

**Strike:** "(A)"

**Insert:** "(i)"

**Renumber:** subsequent subsections

10. Page 2, line 5.

**Following:** "people;"

**Insert:** "and"

11. Page 2, line 6 through line 8.

**Following:** "inmate" on line 6

**Strike:** "; and" on line 6 through "Montana" on line 8

**Following:** line 8

**Insert:** "(3) At least two members of the commission must be enrolled members of a state-recognized or federally recognized Indian tribe located within the boundaries of the state of Montana."

**Renumber:** subsequent subsections

12. Page 2, line 13.

**Following:** line 12

**Insert:** "(8) Members of the commission shall serve without compensation but must be reimbursed for travel expenses as provided in 2-18-501 through 2-18-503. Members of the commission who are full-time salaried officers or employees of this state or of any political subdivision of this state are entitled to their regular compensation."

And, as amended, be concurred in. Report adopted.

**MESSAGES FROM THE SENATE**

**House bill** concurred in as amended and returned to the House for concurrence in Senate amendments:

3/16/2015

**HB 353**, introduced by Greef

**House bills** concurred in and returned to the House:

3/16/2015

**HB 194**, introduced by Redfield

**HB 279**, introduced by Essmann

**HB 355**, introduced by Doane

**HB 390**, introduced by Lang

**HB 393**, introduced by Richmond

**House joint resolution** concurred in and returned to the House:

3/16/2015

**HJR 15**, introduced by Tropila

HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

**Senate bills** passed and transmitted to the House for concurrence: 3/16/2015

**SB 91**, introduced by Thomas  
**SB 308**, introduced by Fielder  
**SB 378**, introduced by Arntzen

**House amendments to Senate bill** concurred in: 3/17/2015

**SB 142**, introduced by C. Smith

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 615**, introduced by C. Glimm, referred to Judiciary.  
**HB 616**, introduced by J. Price, referred to Fish, Wildlife and Parks.  
**HB 617**, introduced by S. Lavin, J. Eck, R. Ehli, F. Garner, B. Keenan, A. Knudsen, R. Lynch, P. Noonan, L. Randall, R. Ripley, referred to Education.

The following Senate bills were introduced, read first time, and referred to committees:

**SB 91**, introduced by F. Thomas (by request of the Department of Revenue), referred to Taxation.  
**SB 308**, introduced by J. Fielder, referred to Taxation.  
**SB 378**, introduced by E. Arntzen, referred to Taxation.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Randall in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 2** - Representative Ballance moved **HB 2** do pass.

**HB 2** - Representative Osmundson moved **HB 2**, second reading copy, be amended as follows:

1. Page A-3, line 14.

**Strike:** line 14 in its entirety

**Insert:** "13,184,764 13,284,650 [General Fund FY16 & FY17]  
117,111 117,111 [State Special FY16 & FY17]  
0 0 [Federal Funds FY16 & FY17]  
376,041 376,428" [Proprietary FY16 & FY17]

HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

2. Page A-3, line 32.

<b>Strike:</b> "268,095 268,095	[Federal Funds FY16 & FY17]
4,167 4,167"	[Proprietary FY16 & FY17]
<b>Insert:</b> "272,262 272,262	[Federal Funds FY16 & FY17]
<b>Insert:</b> 0 0"	[Proprietary FY16 & FY17]

3. Page A-4, line 7.

<b>Strike:</b> "489,673 490,057"	[General Fund FY16 & FY17]
<b>Insert:</b> "473,266 473,650"	[General Fund FY16 & FY17]

4. Page A-5, line 13.

<b>Strike:</b> line 13 in its entirety	
<b>Insert:</b> "4,530,633 4,525,485"	[Proprietary FY16 & FY17]

5. Page A-5, line 15.

<b>Strike:</b> line 15 in its entirety	
<b>Insert:</b> "1,555,226 1,555,935"	[General Fund FY16 & FY17]

6. Page B-1, line 12.

<b>Strike:</b> "39,784,064"	[General Fund FY17]
<b>Insert:</b> "39,782,064"	[General Fund FY17]

7. Page B-1, line 14.

<b>Strike:</b> "557,001"	[General Fund FY17]
<b>Insert:</b> "559,001"	[General Fund FY17]

8. Page B-2, line 34.

<b>Strike:</b> "73,491,366 74,570,013"	[General Fund FY16 & FY17]
<b>Insert:</b> "73,241,366 74,320,013"	[General Fund FY16 & FY17]

9. Page B-3, following line 1.

<b>Insert:</b> "c. Community Services (Restricted)	
250,000 250,000"	[General Fund FY16 & FY17]

10. Page B-3, line 3.

<b>Strike:</b> line 3 in its entirety	
<b>Insert:</b> "73,127,212 74,428,881	[General Fund FY16 & FY17]
15,204,285 15,675,089	[State Special FY16 & FY17]
60,329,029 61,427,707"	[Federal Funds FY16 & FY17]

11. Page B-3, line 8.

<b>Following:</b> "Health"
<b>Strike:</b> "Services Plan"
<b>Insert:</b> "Community-Based"

HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

12. Page B-3, line 9.

**Strike:** line 9 in its entirety

**Insert:** "344,407      695,369                      [General Fund FY16 & FY17]  
                 648,693      1,290,831"                      [Federal Funds FY16 & FY17]

13. Page B-3, following line 19.

**Insert:** "i. Short-Term Inpatient Treatment (Restricted)

                 500,000                      500,000"                      [General Fund FY16 & FY17]

14. Page B-3, following line 29.

**Insert:** "Community Services may be used only for nonmedicaid services provided to elderly and disabled persons."

15. Page B-3, line 30 through line 31.

**Strike:** "Addictive" on line 30 through "53-21-1205." on line 31

16. Page B-4, line 1.

**Following:** "Health"

**Strike:** "Services Plan"

**Insert:** "Community-Based"

17. Page B-4, following line 6.

**Insert:** "Short-Term Inpatient Treatment may be used only to pay for mental health inpatient treatment that is provided pursuant to 53-21-1205."

18. Page C-1, line 22.

**Strike:** "12,939,825"                      [State Special FY16]

**Insert:** "12,939,828"                      [State Special FY16]

19. Page C-4, line 26.

**Strike:** "8,079,878 8,092,729"                      [State Special FY16 & FY17]

**Insert:** "7,654,710 7,633,242"                      [State Special FY16 & FY17]

20. Page C-5, line 6.

**Strike:** line 6 in its entirety

**Insert:** "9,271,085 9,246,707                      [General Fund FY16 & FY17]

                 6,324,095 6,204,724                      [State Special FY16 & FY17]

                                 0                      0"                      [Federal Funds FY16 & FY17]

21. Page C-5, line 8.

**Strike:** "197,283 197,283"                      [Federal Funds FY16 & FY17]

**Insert:** "193,455 193,181"                      [Federal Funds FY16 & FY17]



HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

22. Page C-5, line 12.

**Strike:** line 12 in its entirety

**Insert:** "12,069,894 12,142,933 [General Fund FY16 & FY17]  
16,938,122 16,899,515 [State Fund FY16 & FY17]  
1,218,597 1,216,414" [Federal Funds FY16 & FY17]

23. Page C-6, line 9.

**Strike:** "1,155,858 1,159,085" [Federal Funds FY16 & FY17]

**Insert:** "1,111,858 1,115,085" [Federal Funds FY16 & FY17]

24. Page C-6, line 13.

**Strike:** "30,903 30,924" [Federal Funds FY16 & FY17]

**Insert:** "74,903 74,924" [Federal Funds FY16 & FY17]

25. Page D-3, line 36.

**Strike:** "75,017,415 75,166,327" [General Fund FY16 & FY17]

**Insert:** "74,892,328 74,916,837" [General Fund FY16 & FY17]

26. Page D-4, line 6.

**Strike:** "125,087 249,491" [General Fund FY16 & FY17]

**Insert:** "250,174 498,981" [General Fund FY16 & FY17]

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

**HB 2** - Representative Osmundson moved **HB 2**, second reading copy, be amended as follows:

1. Page A-6.

**Strike:** line 33 in its entirety

**Insert:** "44,619 58,381" [General Fund FY16 & FY17]

**Insert:** "10,009,876 10,033,666" [State Special Fund FY16 & FY17]

**Insert:** "17,523,792 17,564,760" [Federal Special Fund FY16 & FY17]

**Strike:** line 35 in its entirety

**Insert:** "4,807,435 4,810,988" [State Special Fund FY16 & FY17]

**Insert:** "10,752,811 10,779,192" [Federal Special Fund FY16 & FY17]

2. Page A-7.

**Strike:** line 2 in its entirety

**Insert:** "236,199 236,779" [General Fund FY16 & FY17]

**Insert:** "391,516 392,100" [State Special Fund FY16 & FY17]

**Insert:** "423,966 425,244" [Federal Special Fund FY16 & FY17]

**Strike:** remainder of line 4 in its entirety

**Insert:** "1,280,640 1,290,331" [General Fund FY16 & FY17]

**Insert:** "11,174,987 11,200,055" [State Special Fund FY16 & FY17]

**Insert:** "659,065 664,738" [Federal Special Fund FY16 & FY17]

**Strike:** line 8 in its entirety

**Insert:** "16,797,883 16,943,376" [State Special Fund FY16 & FY17]

**Strike:** line 22 in its entirety

**Insert:** "709,574 710,393" [State Special Fund FY16 & FY17]

3. Page A-7, line 20.

**Strike:** "148,767 148,610" [General Fund FY16 & FY17]

**Insert:** "149,004 150,847" [General Fund FY16 & FY17]

**Strike:** "3,197,993 3,197,634" [Federal Special Fund FY16 & FY17]

**Insert:** "3,198,519 3,198,160" [Federal Special Fund FY16 & FY17]

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson,

HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative B. Bennett moved **HB 2**, second reading copy, be amended as follows:

1. Page A-2.

**Strike:** line 19 in its entirety

**Insert:** "642,573 644,974" [General Fund FY16 & FY 17]

**Strike:** line 22 through line 23 in their entirety

**Strike:** line 27 in its entirety

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 59

Excused: None.  
Total 0

HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

Absent or not voting: None.

Total 0

**HB 2** - Representative Person moved **HB 2**, second reading copy, be amended as follows:

1. Page A-2.

**Strike:** line 19 in its entirety

**Insert:** "580,189 581,140" [General Fund FY16 & FY17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 42

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative B. Bennett moved **HB 2**, second reading copy, be amended as follows:

1. Page A-2.

**Strike:** line 19 in its entirety

**Insert:** "644,424 647,042" [General Fund FY16 & FY17]

**Strike:** line 22 through line 23 in their entirety

**Strike:** line 27 in its entirety

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty,

HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 59

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative Lynch moved **HB 2**, second reading copy, be amended as follows:

1. Page A-1.

**Strike:** line 22 in its entirety

**Insert:** "2,678,967 2,674,715" [General Fund FY16 & FY17]

**Strike:** line 24 in its entirety

**Insert:** "150,078 150,436" [General Fund FY16 & FY17]

**Strike:** line 26 in its entirety

**Insert:** "329,657 332,439" [General Fund FY16 & FY17]

**Strike:** line 28 in its entirety

**Insert:** "1,927,347 1,936,384" [General Fund FY16 & FY17]

**Strike:** line 32 in its entirety

**Insert:** "186,596 187,039" [General Fund FY16 & FY17]

**Strike:** line 34 in its entirety

**Insert:** "410,511 411,239" [General Fund FY16 & FY17]

2. Page A-2.

**Strike:** line 1 in its entirety

**Insert:** "316,198 315,765" [General Fund FY16 & FY17]

HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

**Strike:** line 3 in its entirety

**Insert:** "127,758 127,444" [General Fund FY16 & FY17]

**Strike:** line 5 in its entirety

**Insert:** "464,609 464,814" [General Fund FY16 & FY17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 49

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 51

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative Peppers moved **HB 2**, second reading copy, be amended as follows:

1. Page A-5, line 28.

**Strike:** "2,249,169 2,255,067" [General Fund FY16 & FY17]

**Insert:** "3,049,169 3,055,067" [General Fund FY16 & FY17]

2. Page A-5.

**Strike:** line 33 through line 34 in their entirety

**Renumber:** subsequent subsections

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty,

HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 42

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative McCarthy moved **HB 2**, second reading copy, be amended as follows:

1. Page A-6.

**Strike:** line 7 in its entirety

**Insert:** "1,375,000 1,375,000" [General Fund FY16 & FY17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

Excused: None.

Total 0

HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

Absent or not voting: None.

Total 0

**HB 2** - Representative Olsen moved **HB 2**, second reading copy, be amended as follows:

1. Page A-7, line 4.

**Strike:** "1,293,697 1,301,707" [General Fund FY16 & FY17]

**Insert:** "1,438,929 1,437,643" [General Fund FY16 & FY17]

**Strike:** "664,160 667,358" [Federal Special Fund FY16 & FY17]

**Insert:** "715,499 721,424" [Federal Special Fund FY16 & FY17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative McCarthy moved **HB 2**, second reading copy, be amended as follows:

1. Page A-7.

**Strike:** line 8 in its entirety

**Insert:** "17,250,218 17,394,161" [State Special Fund FY16 & FY17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty,



HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 59

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative Hunter moved **HB 2**, second reading copy, be amended as follows:

1. Page A-3, line 22.

**Strike:** "2,621,106 2,610,152" [Proprietary FY 16 & FY 17]

**Insert:** "2,693,485 2,680,317" [Proprietary FY 16 & FY 17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 59

Excused: None.  
Total 0

HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

Absent or not voting: None.

Total 0

**HB 2** - Representative McCarthy moved **HB 2**, second reading copy, be amended as follows:

1. Page A-6.

**Following:** line 19

**Insert:** "d. Broadband FTE (Restricted/Biennial)"

**Insert:** "145,891 145,995" [General Fund FY16 & FY17]

2. Page A-6.

**Following:** line 29

**Insert:** "Broadband FTE is contingent upon passage and approval of HB 14."

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative Tropila moved **HB 2**, second reading copy, be amended as follows:

1. Page A-6, line 33.

**Strike:** "9,881,940 9,910,180" [State Special Fund FY16 & FY17]

**Insert:** "10,718,683 10,743,530" [State Special Fund FY16 & FY17]

2. Page A-6, line 35.

**Strike:** "4,708,765 4,715,054" [State Special Fund FY16 & FY17]

HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

**Insert:** "4,870,562 4,866,971" [State Special Fund FY16 & FY17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 58

Excused: None.  
Total 0

Absent or not voting: Schwaderer.  
Total 1

**HB 2** - Representative McCarthy moved **HB 2**, second reading copy, be amended as follows:

1. Page A-5, line 28.

**Strike:** "2,249,169 2,255,067" [General Fund FY16 & FY17]

**Insert:** "2,379,169 2,385,067" [General Fund FY16 & FY17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ehli, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 42

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Doane, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 57

HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

Excused: None.

Total 0

Absent or not voting: Custer.

Total 1

**HB 2** - Representative McCarthy moved **HB 2**, second reading copy, be amended as follows:

1. Page A-4.

**Strike:** line 37 in its entirety

**Insert:** "4,326,327 4,269,191" [State Special Fund FY16 & FY17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 59

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative McCarthy moved **HB 2**, second reading copy, be amended as follows:

1. Page A-6, line 33.

**Strike:** "9,881,940 9,910,180" [State Special Fund FY16 & FY17]

**Insert:** "9,928,803 9,956,937" [State Special Fund FY16 & FY17]

**Strike:** "17,305,128 17,342,181" [Federal Special Fund FY16 & FY17]

**Insert:** "17,366,083 17,402,999" [Federal Special Fund FY16 & FY17]

2. Page A-6.

HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

**Strike:** line 35 in its entirety

**Insert:** "4,744,666 4,751,045" [State Special Fund FY16 & FY17]

**Insert:** "10,730,006 10,753,967" [Federal Special Fund FY16 & FY17]

3. Page A-7, line 4.

**Strike:** "11,216,918 11,246,144" [State Special Fund FY16 & FY17]

**Insert:** "11,317,912 11,356,929" [State Special Fund FY16 & FY17]

**Strike:** "664,160 667,358" [Federal Special Fund FY16 & FY17]

**Insert:** "678,083 681,251" [Federal Special Fund FY16 & FY17]

4. Page A-7.

**Strike:** line 8 in its entirety

**Insert:** "16,967,213 17,112,774" [State Special Fund FY16 & FY17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 59

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative Hunter moved **HB 2**, second reading copy, be amended as follows:

The following money is added to the appropriations for the respective fiscal years for annualization of the executive implementation of the 2015 biennium pay plan. The distribution by department, program, and fund type will be according to the legislative fiscal division's budget analysis

HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

5,348,796	5,349,059	[General Fund FY16 & FY17]
4,852,071	4,851,691	[State Special Fund FY16 & FY17]
3,107,647	3,107,807	[Federal Special Fund FY16 & FY17]
93,076	93,034	[Proprietary FY16 & FY17]

13,401,591    13,401,591 [All Funds]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 42

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative Lynch moved **HB 2**, second reading copy, be amended as follows:

1. Page A-1.

**Strike:** line 22 in its entirety

**Insert:** "2,678,967 2,674,715" [General Fund FY16 & FY17]

**Strike:** line 24 in its entirety

**Insert:** "150,078 150,436" [General Fund FY16 & FY17]

**Strike:** line 26 in its entirety

**Insert:** "329,657 332,439" [General Fund FY16 & FY17]

**Strike:** line 28 in its entirety

**Insert:** "1,924,132 1,931,975" [General Fund FY16 & FY17]

HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

**Strike:** line 32 in its entirety

**Insert:** "186,596 187,039" [General Fund FY16 & FY17]

**Strike:** line 34 in its entirety

**Insert:** "410,511 411,239" [General Fund FY16 & FY17]

2. Page A-2.

**Strike:** line 1 in its entirety

**Insert:** "316,198 315,765" [General Fund FY16 & FY17]

**Strike:** line 3 in its entirety

**Insert:** "127,758 127,444" [General Fund FY16 & FY17]

**Strike:** line 5 in its entirety

**Insert:** "464,609 464,814" [General Fund FY16 & FY17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 42

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative McCarthy moved **HB 2**, second reading copy, be amended as follows:

1. Page A-3, line 14.

**Strike:** "13,119,862 13,224,199" [General Fund FY 16 & FY 17]

**Insert:** "13,101,447 13,201,408" [General Fund FY 16 & FY 17]

HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 59

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative McCarthy moved **HB 2**, second reading copy, be amended as follows:

1. Page A-3, line 22.

**Strike:** "2,621,106 2,610,152" [Proprietary FY 16 & FY 17]

**Insert:** "(Restricted/OTO) 2,693,485 2,680,317" [Proprietary FY 16 & FY 17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 59



HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative McCarthy moved **HB 2**, second reading copy, be amended as follows:

1. Page A-5, line 28.

**Strike:** "758,793 758,744" [State Special Fund FY16 & FY17]

**Insert:** "2,208,793 2,208,744" [State Special Fund FY16 & FY17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 46

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 54

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative McCarthy moved **HB 2**, second reading copy, be amended as follows:

1. Page R-4.

**Following:** line 28

**Insert:** "The 30-day working capital reserve used to establish state information technology services division rates for state agencies is based on personal services expenses of \$16,733,047 in FY 2016 and \$16,757,600 in FY 2017 and operating expenses of \$25,558,627 in FY 2016 and \$27,723,158 in FY 2017."

HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 59

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative McCarthy moved **HB 2**, second reading copy, be amended as follows:

This amendment adjusts personal services to fund current personal service levels in specific agencies, not including the of the FY2015 pay increase . The total amount \$1.9 million in FY 16 and \$2.1 million is recorded in the note below of which \$782,704 and \$837,261 is estimated to be general fund.

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland,

HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative McCarthy moved to close **Section A**. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wittich, Zolnikov, Mr. Speaker.

Total 92

Nays: B. Bennett, Mehlhoff, Olsen, Smith, Wilson, Woods.

Total 6

Excused: Meyers, Redfield.

Total 2

Absent or not voting: None.

Total 0

House Recessed.

House Reconvened.

**HB 2** - Representative Lynch moved **HB 2**, second reading copy, be amended as follows:

1. Page B-1.

**Following:** line 14

**Insert:** "b. Safe Child Initiative (Biennial) 1,500,000 1,500,000" [General Fund FY 16 & FY 17]

**Insert:** "675,000 675,000" [Federal Special Fund FY 16 & FY 17]

HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 45

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 55

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative Tropila moved **HB 2**, second reading copy, be amended as follows:

1. Page B-1, line 12.

**Strike:** "38,396,485 39,784,064" [General Fund FY 16 & FY 17]

**Insert:** "38,535,978 39,923,557" [General Fund FY 16 & FY 17]

**Strike:** "29,278,222 29,541,744" [Federal Special Fund FY 16 & FY 17]

**Insert:** "29,281,886 29,545,408" [Federal Special Fund FY 16 & FY 17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland,

HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative Funk moved **HB 2**, second reading copy, be amended as follows:

1. Page B-3, following line 1.

**Insert:** "c. Direct Care Worker Wage Increase (Restricted)

1,527,223      3,093,190      [General Fund FY16 and FY17]

2,873,993      5,820,904"      [Federal Funds FY16 and FY17]

2. Page B-3, following line 29.

**Insert:** "Direct Care Worker Wage Increase may be used only for a rate increase for direct care worker wages and ancillary worker wages and related benefits or to provide lump-sum payments to workers. Funds may be used only for payments for workers who provide direct care and ancillary services in the nursing facility, personal assistance, community first choice, and elderly and physically disabled home and community-based services waiver programs."

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hess, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 42

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

Excused: None.

Total 0

HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

Absent or not voting: None.

Total 0

Majority Leader Regier moved the Committee Rise. Without objection, motion carried.

Majority Leader Regier moved the House recess. Without objection, motion carried.

House Recessed.

House Reconvened.

**HB 2** - Representative MacDonald moved **HB 2**, second reading copy, be amended as follows:

1. Page B-3, following line 19.

**Insert:** "i. First Step - State Facility Services (Restricted)  
4,985,884" [General Fund FY17]

2. Page B-4, following line 6.

**Insert:** "First Step - State Facility Services is contingent on passage and approval of a bill to appropriate \$7,352,954 for renovations and equipment at the Montana state hospital and the Montana mental health nursing care center. First Step - State Facility Services may be used only for expanded services at the state mental health facilities."

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

**HB 2** - Representative Eck moved **HB 2**, second reading copy, be amended as follows:

1. Page B-3, line 3.

**Strike:** "76,268,711 77,921,342" [General Fund FY16 and FY17]

**Insert:** "76,944,849 78,594,253" [General Fund FY16 and FY17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 42

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative Kelker moved **HB 2**, second reading copy, be amended as follows:

1. Page B-1.

**Following:** line 10

**Insert:** "a. Child Care STARS to Quality (OTO) 1,200,000 1,200,000" [General Fund FY 16 & FY 17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 41

HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

Excused: None.

Total 0

Absent or not voting: Cook.

Total 1

**HB 2** - Representative Jacobson moved **HB 2**, second reading copy, be amended as follows:

1. Page B-1, line 10.

**Strike:** line 10 in its entirety

**Insert:** "32,516,098 32,511,355" [General Fund FY 16 & FY 17]

**Insert:** "2,573,375 2,573,449" [State Special Fund FY 16 & FY 17]

**Insert:** "286,009,515 286,007,014" [Federal Special Fund FY 16 & FY 17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 40

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

Excused: None.

Total 0

Absent or not voting: Court.

Total 1



HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

**HB 2** - Representative B. Smith moved **HB 2**, second reading copy, be amended as follows:

1. Page B-2, line 26.

**Following:** line 26

**Insert:** "d. Suicide Prevention Grants (OTO) 250,000    250,000"[General Fund FY16 and FY17 ]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Clark, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 42

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 58

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative Jacobson moved **HB 2**, second reading copy, be amended as follows:

1. Page B-1.

**Following:** line 10

**Insert:** "a. Provider Rate Increase (Restricted)    391,958    791,755"    [General Fund FY 16 & FY 17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 59

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative Noonan moved **HB 2**, second reading copy, be amended as follows:

1. Page B-2, line 22.

**Strike:** line 22 in its entirety

**Insert:** "1,655,570    2,605,891"    [General Fund FY16 FY17]

**Insert:** "3,122,410    4,837,384"    [Federal Special Fund FY16 FY17]

Representative Noonan withdrew the motion.

**HB 2** - Representative Noonan moved **HB 2**, second reading copy, be amended as follows:

1. Page B-2, line 3.

**Strike:** "10,673,485    10,924,081"    [General Fund FY16 and FY17 ]

**Insert:** "11,003,437    11,254,033"    [General Fund FY16 and FY17 ]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 42

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland,

HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 58

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative Tropila moved **HB 2**, second reading copy, be amended as follows:

1. Page B-1, line 12.

**Strike:** "38,396,485 39,784,064" [General Fund FY 16 & FY 17]

**Insert:** "38,466,232 39,853,811" [General Fund FY 16 & FY 17]

**Strike:** "29,278,222 29,541,744" [Federal Special Fund FY 16 & FY 17]

**Insert:** "29,280,054 29,543,576" [Federal Special Fund FY 16 & FY 17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 40

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 59

Excused: None.  
Total 0

Absent or not voting: Peppers.  
Total 1

**HB 2** - Representative Schreiner moved **HB 2**, second reading copy, be amended as follows:

1. Page B-2, following line 30.

**Insert:** "b. Health Care Coverage for Certain Low-Income Individuals (Restricted/Biennial)

HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

341,715,880 341,715,880" [Federal Funds FY16 and FY17]

2. Page B-3, following line 25.

**Insert:** "Health Care Coverage for Certain Low-Income Individuals may be used only to pay for services and administration of services for persons eligible for medicaid under 42 U.S.C. 1396a(a)(10)(A)(i)(VIII)."

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 59

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative Noonan moved to close **Section B**. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jones, Karjala, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Person, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Steenberg, Tschida, Wagoner, Welborn, White, Williams, Wittich, Zolnikov, Mr. Speaker.  
Total 77

Nays: B. Bennett, Court, Curdy, Jacobson, Mehlhoff, Olsen, Pease-Lopez, Peppers, Perry, Pierson, Schreiner, Smith, Swanson, Tropila, Webber, Wilson, Woods.  
Total 17

HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

Excused: Meyers, Redfield, Shaw.

Total 3

Absent or not voting: Ehli, Fitzpatrick, Kelker.

Total 3

**HB 2** - Representative Lieser moved **HB 2**, second reading copy, be amended as follows:

1. Page C-5, line 12.

**Strike:** "11,769,675 11,836,866" [General Fund FY 16 & FY 17]

**Insert:** "11,851,926 11,905,816" [General Fund FY 16 & FY 17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, White, Williams, Wilson, Woods.

Total 42

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, Wittich, Zolnikov, Mr. Speaker.

Total 58

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative Ellis moved **HB 2**, second reading copy, be amended as follows:

1. Page C-3, line 12.

**Strike:** "25,359,203 25,364,282" [Federal Special Fund]

**Insert:** "26,759,203 26,764,282" [Federal Special Fund]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy,

HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 42

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative Lieser moved **HB 2**, second reading copy, be amended as follows:

1. Page C-1.

**Strike:** line 10

**Insert:** "10,880,051 10,885,994 " [State Special Fund FY16 & FY17]

**Insert:** "8,590,097 8,589,925 " [Federal Special Fund FY16 & FY17]

**Strike:** line 12

**Insert:** "598,150 598,150 " [State Special Fund FY 16 & FY17]

**Insert:** "0 0" [Federal Special Fund FY 16 & FY17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 43

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 57

HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative Ellis moved **HB 2**, second reading copy, be amended as follows:

1. Page C-1.

**Strike:** line 26

**Insert:** "7,097,861 7,099,452" [State Special Fund FY16 and FY17]

**Insert:** "116,976 116,883" [Federal Special Fund FY16 and FY17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative Ellis moved **HB 2**, second reading copy, be amended as follows:

1. Page C-5, line 6.

**Strike:** "(3,828) (4,102)" [Federal Special Fund FY 16 & FY 17]

**Insert:** "90,706 90,432" [Federal Special Fund FY 16 & FY 17]

HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 59

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative Dunwell moved **HB 2**, second reading copy, be amended as follows:

1. Page C-5, line 12.

**Strike:** "16,938,341 16,905,582" [State Special Fund FY 16 & FY 17]

**Insert:** "17,020,469 16,984,649" [State Special Fund FY 16 & FY 17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 59



HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative Mehlhoff moved to close **Section C**. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Dudik, Dunwell, Ehli, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Smith, Staffanson, Steenberg, Tschida, Wagoner, Webber, Welborn, Williams, Wittich, Zolnikov, Mr. Speaker.

Total 80

Nays: B. Bennett, Court, Curdy, Eck, Ellis, Jacobson, Mehlhoff, Miller, Olsen, Peppers, Perry, Swanson, Tropila, Wilson, Woods.

Total 15

Excused: Essmann, Meyers, Redfield, Shaw, White.

Total 5

Absent or not voting: None.

Total 0

**HB 2** - Representative Lynch moved **HB 2**, second reading copy, be amended as follows:

1. Page D-3, line 9.

**Strike:** "22,810,722 22,825,054" [General Fund FY16 & FY17]

**Insert:** "26,010,722 26,025,054" [General Fund FY16 & FY17]

2. Page D-3, line 17.

**Strike:** "1,515,161 1,510,717" [General Fund FY16 & FY17]

**Insert:** "1,815,161 1,810,717" [General Fund FY16 & FY17]

3. Page D-3, line 21.

**Strike:** "4,897,773 4,898,814" [General Fund FY16 & FY17]

**Insert:** "5,897,773 5,898,814" [General Fund FY16 & FY17]

Amendment **not** adopted as follows:

HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

Yeas: B. Bennett, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 44

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 56

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative MacDonald moved **HB 2**, second reading copy, be amended as follows:

1. Page D-3, line 9.

**Strike:** "22,810,722 22,825,054" [General Fund FY16 & FY17]

**Insert:** "24,659,784 24,650,675" [General Fund FY16 & FY17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Randall moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 56

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 40

Excused: Meyers, Redfield, Shaw.

Total 3

Absent or not voting: J. Bennett.

Total 1

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 95** passed as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lang, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 66

HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Doane, Fiscus, Fitzpatrick, Flynn, Glimm, Hertz, Hess, Kipp III, Lamm, Laszloffy, Mandeville, Manzella, Miller, Monforton, Mortensen, Noland, Pinocci, Randall, Regier, Schwaderer, Tschida, Wagoner, White, Wittich.  
Total 29

Excused: Meyers, Redfield.  
Total 2

Absent or not voting: Court, Staffanson, Welborn.  
Total 3

**HB 183** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 55

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Laszloffy, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 42

Excused: Meyers, Redfield.  
Total 2

Absent or not voting: Welborn.  
Total 1

**SB 97** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McConnell, McKamey, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price,

HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, White, Williams, Woods, Zolnikov, Mr. Speaker.

Total 83

Nays: Brodehl, B. Brown, Ellis, Flynn, Greef, Kipp III, Manzella, McClafferty, Noonan, Olsen, Olszewski, Tschida, Wilson, Wittich.

Total 14

Excused: Meyers, Redfield.

Total 2

Absent or not voting: Welborn.

Total 1

**SB 109** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Kipp III, Lavin.

Total 2

Excused: Meyers, Redfield.

Total 2

Absent or not voting: Welborn.

Total 1

**SB 124** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McConnell, McKamey,

HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 92

Nays: Cook, McCarthy, McClafferty, Noonan, Wilson.  
Total 5

Excused: Meyers, Redfield.  
Total 2

Absent or not voting: Welborn.  
Total 1

**SB 126** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hollandsworth, Holmlund, Hunter, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McConnell, McKamey, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wittich, Zolnikov, Mr. Speaker.  
Total 87

Nays: Z. Brown, Dudik, Hill, Jacobson, McClafferty, Noonan, Olsen, Schreiner, Wilson, Woods.  
Total 10

Excused: Meyers, Redfield.  
Total 2

Absent or not voting: Welborn.  
Total 1

**SB 131** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McConnell, McKamey, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson,

HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 93

Nays: McClafferty, Noonan, Olsen, Wilson.  
Total 4

Excused: Meyers, Redfield.  
Total 2

Absent or not voting: Welborn.  
Total 1

**SB 151** concurred in as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 96

Nays: Ballance.  
Total 1

Excused: Meyers, Redfield.  
Total 2

Absent or not voting: Welborn.  
Total 1

**SB 152** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen,

HOUSE JOURNAL  
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 18, 2015

Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 95

Nays: Lamm, Zolnikov.

Total 2

Excused: Meyers, Redfield.

Total 2

Absent or not voting: Welborn.

Total 1

**MOTIONS**

Majority Leader Regier moved **HB 608** be moved from the Agriculture Committee to the Business and Labor Committee.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 9:00 a.m., Thursday, March 19, 2015. Motion carried.

House adjourned at 5:11 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House



**HOUSE JOURNAL  
64TH LEGISLATURE  
FIFTY-SEVENTH LEGISLATIVE DAY**

Helena, Montana  
March 19, 2015

House Chambers  
State Capitol

House convened at 9:00 a.m. Mr. Speaker presiding. Invocation by Representative Pease-Lopez. Pledge of Allegiance to the Flag. Roll Call. All members present, except Representative Redfield, excused. Quorum present.

**BILLS** (Welborn, Chair):

3/19/2015

Transmitted to the Senate: **SB 97, SB 109, SB 124, SB 126, SB 131, SB 151, SB 152.**

Correctly enrolled: **HB 387, HB 396, HB 412, HB 414, HB 449, HB 482.**

Signed by the Speaker at 10:35 a.m., March 20, 2015: **HB 355.**

Signed by the Chief Clerk of the House at 11:30 a.m., March 20, 2015: **HB 355.**

**MESSAGES FROM THE SENATE**

**House bills** concurred in as amended and returned to the House for concurrence in Senate amendments:

3/17/2015

**HB 85**, introduced by Woods

**HB 145**, introduced by Cuffe

**House bills** concurred in and returned to the House:

3/17/2015

**HB 54**, introduced by Person

**HB 87**, introduced by McClafferty

**HB 124**, introduced by McKamey

**HB 227**, introduced by Dudik

**HB 366**, introduced by Custer

**HB 397**, introduced by Dudik

**HB 410**, introduced by Essmann

**HB 436**, introduced by Dudik

**HB 518**, introduced by Ehli

**HB 588**, introduced by Cook

**Senate bill** passed and transmitted to the House for concurrence:

3/17/2015

**SB 47**, introduced by Pomnichowski

HOUSE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

**MESSAGES FROM THE GOVERNOR**

March 18, 2015

The Honorable Austin Knudsen  
Speaker of the House  
State Capitol  
Helena, Montana 59620

Dear Speaker Knudsen:

Please be informed that I have signed **House Bill 98** sponsored by Representative McClafferty, **House Bill 161** sponsored by Representative Ricci, and **House Bill 260** sponsored by Representative Lynch on March 18, 2015.

Sincerely,

STEVE BULLOCK  
Governor

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 618**, introduced by C. Pope, referred to Business and Labor.

**HB 619**, introduced by J. Eck, referred to Business and Labor.

**HB 620**, introduced by A. Redfield, referred to Human Services.

The following House joint resolution was introduced, read first time, and referred to committee:

**HJR 23**, introduced by D. Lamm, B. Brown, F. Garner, E. Greef, B. Harris, F. Mandeville, D. Mortensen, A. Wittich, referred to State Administration.

The following Senate bill was introduced, read first time, and referred to committee:

**SB 47**, introduced by J. Pomnichowski (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.

HOUSE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Wagoner in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 2** - Representative Ballance moved **HB 2** do pass.

**HB 2** - Representative Lynch moved **HB 2**, second reading copy, be amended as follows:

1. Page D-3, line 9.

**Strike:** "22,810,722 22,825,054" [General Fund FY16 & FY17]

**Insert:** "22,885,406 22,974,423" [General Fund FY16 & FY17]

2. Page D-3, line 17.

**Strike:** "1,515,161 1,510,717" [General Fund FY16 & FY17]

**Insert:** "1,519,728 1,519,851" [General Fund FY16 & FY17]

3. Page D-3, line 21.

**Strike:** "4,897,773 4,898,814" [General Fund FY16 & FY17]

**Insert:** "5,015,165 5,133,599" [General Fund FY16 & FY17]

Representative Lynch withdrew the motion.

**HB 2** - Representative Lynch moved **HB 2**, second reading copy, be amended as follows:

1. Page D-3, line 28.

**Strike:** "12,514,680 12,603,784" [General Fund FY16 & FY17]

**Insert:** "12,623,335 12,712,439" [General Fund FY16 & FY17]

2. Page D-3, line 32.

**Strike:** "65,235,758 65,630,781" [General Fund FY16 & FY17]

**Insert:** "65,409,509 65,804,532" [General Fund FY16 & FY17]

3. Page D-3, line 36.

**Strike:** "75,017,415 75,166,327" [General Fund FY16 & FY17]

**Insert:** "75,625,172 75,774,084" [General Fund FY16 & FY17]

4. Page D-4, line 10.

**Strike:** "889,899 888,487" [General Fund FY16 & FY17]

**Insert:** "891,251 889,839" [General Fund FY16 & FY17]

HOUSE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

5. Page D-4, line 12.

**Strike:** "17,881,161 17,884,312" [General Fund FY16 & FY17]

**Insert:** "18,161,476 18,164,627" [General Fund FY16 & FY 17]

6. Page D-4, line 16.

**Strike:** "20,008,511 20,012,888" [General Fund FY16 & FY17]

**Insert:** "20,073,480 20,077,857" [General Fund FY16 & FY17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 42

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative McConnell moved **HB 2**, second reading copy, be amended as follows:

1. Page D-3, line 32.

**Strike:** "65,235,758 65,630,781" [General Fund FY16 & FY17]

**Insert:** "65,645,091 66,447,254" [General Fund FY16 & FY17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 41

HOUSE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 59

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative Kelker moved **HB 2**, second reading copy, be amended as follows:

1. Page D-3, line 32.

**Strike:** "65,235,758 65,630,781" [General Fund FY16 & FY17]

**Insert:** "65,514,065 65,902,364" [General Fund FY16 & FY17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 59

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

**HB 2** - Representative Tropila moved **HB 2**, second reading copy, be amended as follows:

1. Page D-3, line 9.

**Strike:** "22,810,722 22,825,054" [General Fund FY16 & FY17]

**Insert:** "23,210,722 23,325,054" [General Fund FY16 & FY17]

2. Page D-3, line 17.

**Strike:** "1,515,161 1,510,717" [General Fund FY16 & FY17]

**Insert:** "1,540,161 1,540,717" [General Fund FY16 & FY17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 59

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative Tropila moved **HB 2**, second reading copy, be amended as follows:

1. Page D-3, line 36.

**Strike:** "75,017,415" [General Fund FY16]

**Insert:** "75,729,270" [General Fund FY16]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty,

HOUSE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 59

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative Olsen moved **HB 2**, second reading copy, be amended as follows:

1. Page D-2, line 3.

**Strike:** "574,054 574,060" [Federal Special Fund FY16 & FY17]

**Insert:** "718,571 718,577" [Federal Special Fund FY16 & FY17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 44

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 56

Excused: None.  
Total 0

HOUSE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

Absent or not voting: None.

Total 0

**HB 2** - Representative Person moved **HB 2**, second reading copy, be amended as follows:

1. Page D-3, line 9.

**Strike:** "22,810,722 22,825,054" [General Fund FY16 & FY17]

**Insert:** "23,589,274 23,564,166" [General Fund FY16 & FY17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative Person moved **HB 2**, second reading copy, be amended as follows:

1. Page D-3, line 17.

**Strike:** "1,515,161 1,510,717" [General Fund FY16 & FY17]

**Insert:** "1,535,579 1,533,914" [General Fund FY16 & FY17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 41



HOUSE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative Eck moved **HB 2**, second reading copy, be amended as follows:

1. Page D-3, line 5.

**Strike:** "0 0" [General Fund FY16 & FY17]

**Strike:** "0 0" [State Special Fund FY16 & FY17]

**Insert:** "22,810,722 22,825,054" [General Fund FY16 & FY17]

**Insert:** "273,926 273,926" [State Special Fund FY16 & FY17]

2. Page D-3, line 7.

**Strike:** "0" [General Fund FY16]

**Insert:** "55,661" [General Fund FY16]

3. Page D-3, line 8 through line 11.

**Strike:** line 8 through line 11 in their entirety

**Renumber:** subsequent subsections

4. Page D-3, line 15.

**Strike:** "0 0" [General Fund FY16 & FY17]

**Insert:** "1,515,161 1,510,717" [General Fund FY16 & FY 17]

5. Page D-3, line 16 through line 17.

**Strike:** line 16 through line 17 in their entirety

6. Page D-3, line 19.

**Strike:** "0 0" [General Fund FY16 & FY17]

**Insert:** "4,897,773 4,898,814" [General Fund FY16 & FY17]

7. Page D-3, line 20 through line 21.

**Strike:** line 20 through line 21 in their entirety

HOUSE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 59

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative Pierson moved **HB 2**, second reading copy, be amended as follows:

1. Page D-3, line 32.

**Strike:** "65,235,758 65,630,781" [General Fund FY16 & FY17]

**Insert:** "65,251,517 65,646,540" [General Fund FY16 & FY17]

2. Page D-3, line 36.

**Strike:** "75,017,415 75,166,327" [General Fund FY16 & FY17]

**Insert:** "75,614,015 75,762,927" [General Fund FY16 & FY17]

3. Page D-4, line 10.

**Strike:** "889,899 888,487" [General Fund FY16 & FY17]

**Insert:** "881,399 879,987" [General Fund FY16 & FY17]

4. Page D-4, line 12.

**Strike:** "17,881,161 17,884,312" [General Fund FY16 & FY17]

**Strike:** "964,750 964,750" [State Special Fund FY16 & FY17]

**Insert:** "18,151,291 18,154,442" [General Fund FY16 & FY 17]

**Insert:** "770,780 770,780" [State Special Fund FY16 & FY17]

HOUSE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

5. Page D-4, line 16.

**Strike:** "20,008,511 20,012,888" [General Fund FY16 & FY17]

**Insert:** "20,321,201 20,325,578" [General Fund FY16 & FY17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 59

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative McConnell moved **HB 2**, second reading copy, be amended as follows:

1. Page D-3, line 36.

**Strike:** "75,017,415 75,166,327" [General Fund FY16 & FY17]

**Insert:** "75,291,176 75,439,427" [General Fund FY16 & FY17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland,

HOUSE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative Court moved **HB 2**, second reading copy, be amended as follows:

1. Page D-4, line 16.

**Strike:** "20,008,511 20,012,888" [General Fund FY16 & FY17]

**Insert:** "20,283,488 20,287,143" [General Fund FY16 & FY17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative MacDonald moved **HB 2**, second reading copy, be amended as follows:

1. Page D-4, line 16.

**Strike:** "20,008,511 20,012,888" [General Fund FY16 & FY17]

**Insert:** "20,206,179 20,207,156" [General Fund FY16 & FY17]

HOUSE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 59

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative Hill moved **HB 2**, second reading copy, be amended as follows:

1. Page D-3, line 9.

**Strike:** "22,810,722 22,825,054" [General Fund FY16 & FY17]

**Insert:** "23,382,491 23,395,411" [General Fund FY16 & FY17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Clark, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 42

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 58

HOUSE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative MacDonald moved **HB 2**, second reading copy, be amended as follows:

1. Page D-3, line 17.

**Strike:** "1,515,161 1,510,717" [General Fund FY16 & FY17]

**Insert:** "1,665,161 1,660,717" [General Fund FY16 & FY17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 59

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative McConnell moved **HB 2**, second reading copy, be amended as follows:

1. Page D-4, line 2.

**Strike:** "2,648,061 2,878,120" [General Fund FY16 & FY17]

**Insert:** "3,648,061 3,878,120" [General Fund FY16 & FY17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty,

HOUSE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 59

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative Lynch moved **HB 2**, second reading copy, be amended as follows:

1. Page D-4, line 16.

**Strike:** "20,008,511 20,012,888" [General Fund FY16 & FY17]

**Insert:** "20,686,986 20,788,544" [General Fund FY16 & FY17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 59

Excused: None.  
Total 0

HOUSE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

Absent or not voting: None.

Total 0

**HB 2** - Representative Lynch moved **HB 2**, second reading copy, be amended as follows:

1. Page D-3, line 28.

**Strike:** "12,514,680 12,603,784" [General Fund FY16 & FY17]

**Insert:** "12,543,368 12,632,494" [General Fund FY16 & FY17]

2. Page D-3, line 30.

**Following:** line 30

**Insert:** "b. American Correctional Association Certification (OTO)

10,100" [General Fund FY16]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 43

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 57

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative Swanson moved **HB 2**, second reading copy, be amended as follows:

1. Page D-3, line 32.

**Strike:** "65,235,758 65,630,781" [General Fund FY16 & FY17]

**Insert:** "65,809,258 66,204,281" [General Fund FY16 & FY17]

Amendment **not** adopted as follows:



HOUSE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 59

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative Dudik moved to close **Section D**. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Dunwell, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Steenberg, Tschida, Wagoner, Welborn, Williams, Wittich, Zolnikov, Mr. Speaker.  
Total 79

Nays: B. Bennett, Court, Curdy, Dudik, Eck, Funk, Jacobson, MacDonald, Mehlhoff, Olsen, Peppers, Perry, Schreiner, Smith, Swanson, Tropila, Webber, Wilson, Woods.  
Total 19

Excused: Redfield, White.  
Total 2

Absent or not voting: None.  
Total 0

Majority Leader Regier moved the Committee Rise. Without Objection, Motion carried.

House Recessed.

HOUSE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

House Reconvened.

**HB 2** - Representative McClafferty moved **HB 2**, be amended.

**HB 2** - Representative Brodehl moved for cloture. Motion carried. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Kipp III, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Randall, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 57

Nays: B. Bennett, Z. Brown, Clark, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 42

Excused: Redfield.

Total 1

Absent or not voting: None.

Total 0

**HB 2** - Representative Miller moved for cloture. Motion carried. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Osmundson, Pinocci, Randall, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 57

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 41

Excused: Redfield.

Total 1

HOUSE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

Absent or not voting: Olszewski.

Total 1

**HB 2** - Representative McClafferty moved **HB 2**, second reading copy, be amended as follows:

1. Page E-1.

**Following:** line 36

**Insert:** "n. Early Childhood Education (Biennial/Restricted)"

**Insert:** "18,500,000 18,500,000" [General Fund FY16 & FY17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative Pope moved **HB 2**, second reading copy, be amended as follows:

1. Page E-1, line 22.

**Strike:** "636,209,794 647,326,388" [General Fund FY16 & FY17]

**Insert:** "636,380,068 647,600,924" [General Fund FY16 & FY17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person,

HOUSE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 43

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 57

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative Kelker moved **HB 2**, second reading copy, be amended as follows:

1. Page E-1, line 22.

**Strike:** "636,209,794 647,326,388" [General Fund FY16 and FY17]

**Insert:** "636,387,753 647,665,685" [General Fund FY16 and FY17]

2. Page E-1, line 32.

**Strike:** "42,891,966 42,891,966" [General Fund FY16 and FY17]

**Insert:** "43,891,349 44,677,004" [General Fund FY16 and FY17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Clark, Court, Curdy, Dudik, Dunwell, Eck, Ehli, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 44

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Custer, Doane, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 56

HOUSE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative Woods moved **HB 2**, second reading copy, be amended as follows:

1. Page E-1.

**Following:** line 8

**Insert:** "c. Schools of Promise (Restricted/Biennial)"

**Insert:** "334,650 334,650" [General Fund FY16 & FY17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 44

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 56

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative Pease-Lopez moved **HB 2**, second reading copy, be amended as follows:

1. Page E-1.

**Following:** line 8

**Insert:** "c. Schools of Promise (Restricted/Biennial)"

**Insert:** "250,000 250,000" [General Fund FY16 & FY17]

HOUSE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 44

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 56

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative Tropila moved **HB 2**, second reading copy, be amended as follows:

1. Page E-5, line 20.

**Strike:** "480,828 480,706" [General Fund FY16 & FY17]

**Insert:** "483,101 482,979" [General Fund FY16 & FY17]

2. Page E-5, line 24.

**Strike:** "515,356 516,374" [General Fund FY16 & FY17]

**Insert:** "519,045 520,063" [General Fund FY16 & FY17]

3. Page E-5, line 26.

**Strike:** "1,627,471 1,628,847" [General Fund FY16 & FY17]

**Insert:** "1,652,755 1,654,131" [General Fund FY16 & FY17]

4. Page E-5, line 30.

**Strike:** "4,232,729 4,222,616" [General Fund FY16 & FY17]

**Insert:** "4,326,483 4,316,370 " [General Fund FY16 & FY17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy,



HOUSE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 55

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative Tropila moved **HB 2**, second reading copy, be amended as follows:

1. Page E-6, line 15.

**Strike:** "3,006,541      3,012,328"      [General Fund FY 16 and FY 17]

**Insert:** "3,085,622      3,091,206"      [General Fund FY 16 and FY 17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 44

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 56

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative Woods moved **HB 2**, second reading copy, be amended as follows:

1. Page E-1, line 22.

**Strike:** "636,209,794    647,326,388"    [General Fund FY16 & FY17]

**Insert:** "633,921,789    643,553,930"    [General Fund FY16 & FY17]



HOUSE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

2. Page E-1.

**Following:** line 36

**Insert:** "n. Natural Resource Dev Pmt (Restricted/Biennial)"

**Insert:** "4,900,000 8,100,000" [State Special Fund FY16 & FY17]

3. Page E-2.

**Following:** line 14

**Insert:** "K-12 BASE Aid is increased by \$2,288,005 general fund in FY 2016 and \$3,772,458 in FY 2017 if a bill to redirect the natural resource development funding to the school facility and technology account is not passed and approved."

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 59

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative Mehlhoff moved **HB 2**, second reading copy, be amended as follows:

1. Page E-3, line 1.

**Strike:** line 1 in its entirety

**Insert:** "2,093,000 2,093,000" [General Fund FY 16 and FY 17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty,

HOUSE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 59

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative Woods moved **HB 2**, second reading copy, be amended as follows:

1. Page E-2, line 34.

**Strike:** "8,426,881      8,788,314"      [General Fund FY 16 and FY 17]

**Insert:** "9,044,471      9,305,904"      [General Fund FY 16 and FY 17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 59

Excused: None.  
Total 0

HOUSE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

Absent or not voting: None.

Total 0

**HB 2** - Representative Woods moved **HB 2**, second reading copy, be amended as follows:

1. Page E-2, line 34.

**Strike:** "8,426,881 8,788,314" [General Fund FY 16 and FY 17]

**Insert:** "10,445,655 10,807,088" [General Fund FY 16 and FY 17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative Tropila moved **HB 2**, second reading copy, be amended as follows:

1. Page E-5, line 20.

**Strike:** "480,828 480,706" [General Fund FY16 & FY17]

**Insert:** "481,964 481,842" [General Fund FY16 & FY17]

2. Page E-5, line 24.

**Strike:** "515,356 516,374" [General Fund FY16 & FY17]

**Insert:** "517,201 518,219" [General Fund FY16 & FY17]

3. Page E-5, line 26.

**Strike:** "1,627,471 1,628,847" [General Fund FY16 & FY17]

**Insert:** "1,640,113 1,641,489" [General Fund FY16 & FY17]

HOUSE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

4. Page E-5, line 30.

**Strike:** "4,232,729 4,222,616" [General Fund FY16 & FY17]

**Insert:** "4,279,606 4,269,493 " [General Fund FY16 & FY17]

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hagstrom, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 46

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 54

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative Woods moved to close **Section E**. Motion carried as follows:

Yeas: Ballance, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Dudik, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hollandsworth, Holmlund, Hunter, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, Manzella, McCarthy, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Noonan, Olszewski, Osmundson, Person, Pinocci, Randall, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Steenberg, Tschida, Wagoner, Welborn, White, Williams, Wittich, Zolnikov, Mr. Speaker.

Total 70

Nays: B. Bennett, Z. Brown, Court, Curdy, Dunwell, Eck, Funk, Hill, Jacobson, MacDonald, McClafferty, McConnell, Mehlhoff, Olsen, Pease-Lopez, Peppers, Perry, Pierson, Pope, Price, Schreiner, Smith, Swanson, Tropila, Webber, Wilson, Woods.

Total 27

Excused: J. Bennett, Moore, Redfield.

Total 3

HOUSE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

Absent or not voting: None.

Total 0

**HB 2** - Representative Ballance moved **HB 2**, as amended, do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Wagoner moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 56

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 41

Excused: J. Bennett, Moore, Redfield.

Total 3

HOUSE JOURNAL  
FIFTY-SEVENTH LEGISLATIVE DAY - MARCH 19, 2015

Absent or not voting: None.

Total 0

Representative Price rose on a **Point of Personal Privilege**. She apologized for her use of bad language on the House Floor during session.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Friday, March 20, 2015.  
Motion carried.

House adjourned at 3:49 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
FIFTY-EIGHTH LEGISLATIVE DAY**

Helena, Montana  
March 20, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Doane. Pledge of Allegiance to the Flag. Roll Call. All members present, except Representative Lieser, excused. Quorum present.

**BILLS** (Welborn, Chair):

3/20/2015

Correctly printed: **SB 181, SB 288, SB 372, SB 377, SB 380, SB 384.**

Correctly engrossed: **HB 598, SB 138, SB 209, SB 385.**

Correctly enrolled: **HB 410, HB 382, HJR 8.**

Transmitted to the Senate: **HB 2.**

Signed by the Speaker at 10:35 a.m., March 20, 2015: **HB 194, HJR 15.**

Signed by the Chief Clerk of the House at 11:00 a.m., March 20, 2015: **HB 194, HJR 15.**

Signed by the Speaker at 3:35 p.m., March 20, 2015: **HB 410.**

Signed by the Chief Clerk of the House at 3:49 p.m., March 20, 2015: **HB 410.**

Signed by the President at 11:35 a.m., March 20, 2015: **HB 393.**

Signed by the President at 3:20 p.m., March 23, 2015: **HB 233, HB 279, HB 390.**

Signed by the President at 3:30 p.m., March 23, 2015: **HB 12, HB 90, HB 132, HB 135, HB 162, HB 194, HB 197, HB 203, HB 222, HB 225, HB 232, HB 246, HB 298, HB 354, HB 355, HJR 15.**

Delivered to the Governor for approval at 11:43 a.m., March 20, 2015: **HB 393.**

**REPORTS OF STANDING COMMITTEES**

**BUSINESS AND LABOR** (Berry, Chair):

3/20/2015

**SB 138**, be amended as follows:

1. Page 2, line 6.

**Following:** "employer"

**Insert:** "who acts reasonably and complies in good faith with this section"

2. Page 2, line 11.

**Strike:** "OR"

3. Page 2, line 13.

**Following:** "INFORMATION;"

**Insert:** "or"

4. Page 2.

**Following:** line 13

HOUSE JOURNAL  
FIFTY-EIGHTH LEGISLATIVE DAY - MARCH 20, 2015

**Insert:** "(c) received from the applicant or employee a valid certificate of completion issued by a correctional institution or an entity recognized by the department of corrections for rehabilitative treatment or a rehabilitative course;"

5. Page 3, line 22.

**Following:** "institution"

**Insert:** "that acts reasonably and complies in good faith with this section"

6. Page 4, line 2.

**Following:** "landlord"

**Insert:** "who acts reasonably and complies in good faith with this section"

And, as amended, be concurred in. Report adopted.

**SB 181**, be concurred in. Report adopted.

**SB 288**, be concurred in. Report adopted.

**SB 377**, be concurred in. Report adopted.

**JUDICIARY** (Bennett, Chair):

3/17/2015

**SB 209**, be amended as follows:

1. Page 2, line 22.

**Following:** line 21

**Insert:** "COORDINATION SECTION. Section 6. Coordination instruction. If both [this act] and House Bill No. 345 are passed and approved, then House Bill No. 345 is void."

And, as amended, be concurred in. Report adopted.

**JUDICIARY** (Bennett, Chair):

3/20/2015

**HB 598**, introduced bill, be amended as follows:

1. Page 2, line 4 through line 5.

**Following:** "defense" on line 4

**Insert:** "only against the state"

**Strike:** "in a judicial proceeding," on line 4 through "proceeding" on line 5

And, as amended, do pass. Report adopted.

**SB 372**, be concurred in. Report adopted.

**SB 384**, be concurred in. Report adopted.

**SB 385**, be amended as follows:

1. Title, page 1, line 6 through line 7.

**Strike:** "REQUIRING THAT A TENANT CERTIFY THAT THE TENANT IS CURRENT ON RENT PAYMENTS BEFORE FILING CERTAIN ACTIONS IN COURT;"



HOUSE JOURNAL  
FIFTY-EIGHTH LEGISLATIVE DAY - MARCH 20, 2015

2. Page 5, line 21 through line 28.

**Strike:** section 5 through section 6 in their entirety

**Renumber:** subsequent sections

And, as amended, be concurred in. Report adopted.

**STATE ADMINISTRATION** (Essmann, Chair):

3/20/2015

**SB 380**, be concurred in. Report adopted.

**MESSAGES FROM THE SENATE**

**House joint resolution not** concurred in and returned to the House:

3/18/2015

**HJR 12**, introduced by Hertz

**House bill** concurred in as amended and returned to the House for concurrence in Senate amendments:

3/18/2015

**HB 461**, introduced by Lavin

**House bills** concurred in and returned to the House:

3/18/2015

**HB 387**, introduced by McConnell

**HB 396**, introduced by D. Jones

**HB 412**, introduced by Zolnikov

**HB 414**, introduced by Lang

**HB 449**, introduced by Wagoner

**HB 482**, introduced by Hunter

**MESSAGES FROM THE GOVERNOR**

March 20, 2015

The Honorable Austin Knudsen  
Speaker of the House  
State Capitol  
Helena, Montana 59620

Dear Speaker Knudsen:

Please be informed that I have signed **House Bill 43** sponsored by Representative MacDonald, **House Bill 50** sponsored by Representative Steenberg, **House Bill 53** sponsored by Representative Person, **House Bill 126** sponsored by Representative Peppers, **House Bill 133**

HOUSE JOURNAL  
FIFTY-EIGHTH LEGISLATIVE DAY - MARCH 20, 2015

sponsored by Representative MacDonald, **House Bill 187** sponsored by Representative Steenberg, **House Bill 265** sponsored by Representative Staffanson, and **House Bill 466** sponsored by Representative Miller on March 20, 2015.

Sincerely,

STEVE BULLOCK  
Governor

**FIRST READING AND COMMITMENT OF BILLS**

The following House bill was introduced, read first time, and referred to committee:

**HB 621**, introduced by T. Jacobson, referred to Taxation.

**HB 622**, introduced by R. Lynch, referred to Business and Labor.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Glimm in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 544** - Representative Wittich moved **HB 544** do pass. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 50

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 50

Excused: None.  
Total 0

HOUSE JOURNAL  
FIFTY-EIGHTH LEGISLATIVE DAY - MARCH 20, 2015

Absent or not voting: None.

Total 0

**HB 455** - Representative Ballance moved **HB 455** do pass. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 49

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 51

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 582** - Representative Wittich moved **HB 582** do pass. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 48

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 52

Excused: None.

Total 0

HOUSE JOURNAL  
FIFTY-EIGHTH LEGISLATIVE DAY - MARCH 20, 2015

Absent or not voting: None.

Total 0

**HB 85 - Senate Amendments** - Representative Woods moved Senate amendments to **HB 85** be concurred in. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Ballance, Manzella, Pinocci, Randall, Staffanson, Tschida.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 100 - Senate Amendments** - Representative Garner moved Senate amendments to **HB 100** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

HOUSE JOURNAL  
FIFTY-EIGHTH LEGISLATIVE DAY - MARCH 20, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 102 - Senate Amendments** - Representative Pinocci moved Senate amendments to **HB 102** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Z. Brown, Burnett.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 319 - Senate Amendments** - Representative Olszewski moved Senate amendments to **HB 319** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dunwell, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pinocci, Pope, Price, Randall, Redfield, Ricci, Richmond, Salomon, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Zolnikov, Mr. Speaker.

Total 88

HOUSE JOURNAL  
FIFTY-EIGHTH LEGISLATIVE DAY - MARCH 20, 2015

Nays: Dudik, Eck, Hayman, Hunter, Jacobson, MacDonald, Manzella, Pierson, Regier, Schreiner, Schwaderer, Woods.  
Total 12

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HJR 16** - Representative MacDonald moved **HJR 16** be adopted. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Garner, Hayman, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods, Mr. Speaker.  
Total 54

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Holmlund, Jones, Lamm, Lang, Laszloffy, Mandeville, Manzella, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Zolnikov.  
Total 46

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 141** - Representative Salomon moved **SB 141** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.  
Total 91

HOUSE JOURNAL  
FIFTY-EIGHTH LEGISLATIVE DAY - MARCH 20, 2015

Nays: B. Brown, Glimm, Jones, Noland, Staffanson, Wagoner, White, Wittich, Zolnikov.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 174** - Representative Fitzpatrick moved **SB 174** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 87

Nays: J. Bennett, Berglee, Brodehl, B. Brown, Harris, Lamm, Manzella, Monforton, Staffanson, Wagoner, Welborn, White, Wittich.

Total 13

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 184** - Representative Cook moved **SB 184** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 93

HOUSE JOURNAL  
FIFTY-EIGHTH LEGISLATIVE DAY - MARCH 20, 2015

Nays: Brodehl, Harris, Lamm, Redfield, Ricci, Staffanson, White.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 196** - Representative Perry moved **SB 196** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, B. Brown, Z. Brown, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.  
Total 93

Nays: Brodehl, Burnett, Cuffe, Hagstrom, Redfield, Regier, Zolnikov.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 332** - Representative Schreiner moved **SB 332** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 95



HOUSE JOURNAL  
FIFTY-EIGHTH LEGISLATIVE DAY - MARCH 20, 2015

Nays: Doane, Harris, Lamm, Regier, Staffanson.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Glimm moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 89

Nays: Berglee, Essmann, Harris, Hess, Lamm, Mandeville, Randall, Staffanson, Tschida, Zolnikov.

Total 10

Excused: Lieser.

Total 1

Absent or not voting: None.

Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 2** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland,

HOUSE JOURNAL  
FIFTY-EIGHTH LEGISLATIVE DAY - MARCH 20, 2015

Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 40

Excused: Lieser.

Total 1

Absent or not voting: None.

Total 0

**MOTIONS**

Representative McCarthy moved to change their vote on **HB 100** from No to Yes. Without objection, so ordered.

On a **Point of Personal Privilege**, Representative Price apologized for distributing CD's to members of the Fish, Wildlife and Parks committee without permission.

**SPECIAL ORDERS OF THE DAY**

Representative Williams introduced students from the Hawthorne Elementary School in Bozeman, who performed for the members of the House. The children were presented with certificates of honorary membership in the Montana House of Representatives.

Representative Lang thanked the pages for their service.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Monday, March 23, 2015. Motion carried.

House adjourned at 2:49 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
SIXTIETH LEGISLATIVE DAY**

Helena, Montana  
March 23, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Garner. Pledge of Allegiance to the Flag. Roll Call. All members present, except Representative Hess, excused. Quorum present.

**BILLS** (Welborn, Chair):

3/23/2015

Correctly printed: **HB 609, SB 8, SB 54, SB 66, SB 149, SB 221, SB 229, SB 256, SB 321, SB 327, SB 335, SB 368, SJR 13.**

Correctly engrossed: **HB 368, HB 559, HB 590, SB 48, SB 249, SB 261.**

Correctly enrolled: **HB 44, HB 85, HB 100, HB 102, HB 117, HB 164, HB 207, HB 270, HB 289, HB 319, HB 348, HB 422, HB 429, HB 507.**

Signed by the Speaker at 4:50 p.m., March 23, 2015: **HB 54, HB 87, HB 124, HB 183, HB 227, HB 366, HB 382, HB 387, HB 397, HB 412, HB 414, HB 436, HB 449, HB 482, HB 518, HB 588, HJR 8.**

Signed by the Chief Clerk of the House at 5:52 p.m., March 23, 2015: **HB 54, HB 87, HB 124, HB 183, HB 227, HB 366, HB 382, HB 387, HB 397, HB 412, HB 414, HB 436, HB 449, HB 482, HB 518, HB 588, HJR 8.**

Signed by the President at 3:25 p.m., March 23, 2015: **HB 410.**

**LEGISLATIVE ADMINISTRATION** (Welborn, Chair):

3/23/2015

**MR. SPEAKER:**

We, your committee on Legislative Administration recommend that employment of the following pages of the House be ceased as of 1:00 p.m., Friday, March 20, 2015:

Michael Monaco, Anaconda  
Jordan Noyd, Anaconda  
Marley Manoukian, Malta  
Anna Maronick, East Helena  
Maria Thomson, Helena  
Dale Royer, Jackson  
Anna Balian, Bozeman  
Jamie Severson, Belgrade

and recommend that the following pages of the House be employed as of 1:00 p.m., Monday, March 23, 2015:

Adam Buxbaum, Culbertson  
Mariah Machart, Culbertson

HOUSE JOURNAL  
SIXTIETH LEGISLATIVE DAY - MARCH 23, 2015

Andrew Pierson, Deer Lodge  
Abigail Konen, Fairfield  
Ravyn Frey, Helena  
Shealyn Mackay, East Helena  
Martino Dono, Galicia, Spain & East Helena

Report Adopted.

**REPORTS OF STANDING COMMITTEES**

**FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS** (Lang, Chair): 3/20/2015

**HB 559**, do pass. Report adopted.

**SB 249**, be amended as follows:

1. Page 3, line 21.

**Strike:** "contact"

**Insert:** "contract"

And, as amended, be concurred in. Report adopted.

**SB 261**, be amended as follows:

1. Page 1, line 25.

**Following:** "(c)"

**Strike:** "a"

**Insert:** "one"

**Following:** "2-15-3305;"

**Strike:** "and"

**Insert:** "(d) one member of the senate appointed by the president of the senate;

(e) one member of the house of representatives appointed by the speaker of the house;  
and"

**Renumber:** subsequent subsection

2. Page 1, line 28.

**Following:** "[sections 2 through 13]."

**Insert:** "Each meeting must be recorded electronically."

3. Page 9.

**Following:** line 13

**Insert:** "NEW SECTION. Section 14. Transfer of funds. Any funds appropriated to the department of natural resources and conservation for the sage grouse conservation fund in the general appropriations act must be transferred to the sage grouse stewardship account

HOUSE JOURNAL  
SIXTIETH LEGISLATIVE DAY - MARCH 23, 2015

established in [section 7] and used in accordance with [this act]."

**Insert:** "NEW SECTION. **Section 15. Reversion of funds.** If the United State fish and wildlife service lists the greater sage-grouse (*Centrocercus urophasianus*) as endangered under the Endangered Species Act, 16 U.S.C. 1531, et seq., any unencumbered portion of an appropriation to the department of natural resources and conservation for the sage grouse conservation fund in the general appropriations act that was transferred pursuant to [section 14] must revert to the general fund."

**Renumber:** subsequent sections

And, as amended, be concurred in. Report adopted.

**SB 321**, be concurred in. Report adopted.

**SB 327**, be concurred in. Report adopted.

**SB 368**, be concurred in. Report adopted.

**SJR 13**, be concurred in. Report adopted.

**HUMAN SERVICES** (Wittich, Chair):

3/20/2015

**SB 8**, be concurred in. Report adopted.

**SB 48**, be amended as follows:

1. Page 1, line 17.

**Strike:** "3"

**Insert:** "3.6"

2. Page 2, line 25.

**Strike:** "3"

**Insert:** "3.6"

3. Page 3, line 9.

**Strike:** "3"

**Insert:** "3.6"

And, as amended, be concurred in. Report adopted.

**SB 66**, be concurred in. Report adopted.

**SB 149**, be concurred in. Report adopted.

**NATURAL RESOURCES** (White, Chair):

3/20/2015

**HB 590**, introduced bill, be amended as follows:

1. Page 3, line 4.

**Following:** "must"

**Insert:** "use"

And, as amended, do pass. Report adopted.

HOUSE JOURNAL  
SIXTIETH LEGISLATIVE DAY - MARCH 23, 2015

**SB 221**, be concurred in. Report adopted.

**SB 229**, be concurred in. Report adopted.

**SB 256**, be concurred in. Report adopted.

**TAXATION** (Miller, Chair):

3/23/2015

**HB 368**, introduced bill, be amended as follows:

1. Title, page 1, line 5.

**Strike:** "EXTENDED TERMINATION DATE"

**Insert:** "EXCEPTION"

2. Title, page 1, line 6.

**Following:** "BONDING"

**Insert:** "AND FOR CERTAIN OTHER LOANS"

3. Page 2, line 8 through line 11.

**Strike:** subsection (6) in its entirety

**Insert:** "(6)(a) Except as provided in subsection (6)(b), a voted levy is limited to a duration of 10 years.

(b) (i) A voted levy is not subject to a durational limit when revenue from the levy is used to support a library or as security for the payment of bonds or for repayment of loans provided for in Title 17, chapter 5, part 16.

(ii) Levies provided for in 20-9-353, 20-9-502, and 20-9-533 are not subject to the limit provided in subsection (6)(a)."

And, as amended, do pass. Report adopted.

**HB 609**, do pass. Report adopted.

**SB 54**, be concurred in. Report adopted.

**SB 335**, be concurred in. Report adopted.

**MESSAGES FROM THE SENATE**

**House bill not** concurred in and returned to the House:

3/19/2015

**HB 97**, introduced by McClafferty

**House bills** concurred in as amended and returned to the House for concurrence in Senate amendments:

3/19/2015

**HB 107**, introduced by Cook

**HB 208**, introduced by D. Moore

**HB 375**, introduced by Lavin

HOUSE JOURNAL  
SIXTIETH LEGISLATIVE DAY - MARCH 23, 2015

**House bills** concurred in as amended and returned to the House for concurrence in Senate amendments:

3/20/2015

**HB 36**, introduced by Lynch  
**HB 226**, introduced by Richmond  
**HB 334**, introduced by Cook  
**HB 513**, introduced by Person

**House bill** concurred in and returned to the House:

3/19/2015

**HB 382**, introduced by Dunwell

**House joint resolution** concurred in and returned to the House:

3/19/2015

**HJR 8**, introduced by Garner

**House bills** concurred in and returned to the House:

3/20/2015

**HB 164**, introduced by Schwaderer  
**HB 270**, introduced by Richmond  
**HB 289**, introduced by Greef  
**HB 422**, introduced by Ehli  
**HB 429**, introduced by Hill  
**HB 507**, introduced by Pierson

**House amendments to Senate bills** concurred in:

3/19/2015

**SB 39**, introduced by C. Smith  
**SB 41**, introduced by Facey  
**SB 60**, introduced by Driscoll  
**SB 241**, introduced by Webb

**Senate bills** passed and transmitted to the House for concurrence:

3/20/2015

**SB 312**, introduced by Phillips  
**SB 387**, introduced by C. Smith

**MESSAGES FROM THE GOVERNOR**

HOUSE JOURNAL  
SIXTIETH LEGISLATIVE DAY - MARCH 23, 2015

March 23, 2015

The Honorable Austin Knudsen  
Speaker of the House  
State Capitol  
Helena, Montana 59620

Dear Speaker Knudsen:

Please be informed that I have signed **House Bill 61** sponsored by Representative Lang and **House Bill 296** sponsored by Representative Noonan on March 23, 2015.

These bills were delivered to the Secretary of State's Office today.

I also returned **House Bill 212** sponsored by Representative Wagoner to the Secretary of State's Office without signature.

Sincerely,

STEVE BULLOCK  
Governor

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 623**, introduced by R. Osmundson, referred to State Administration.

**HB 624**, introduced by S. Staffanson, referred to Business and Labor.

**HB 625**, introduced by B. Tschida, referred to Business and Labor.

The following Senate bills were introduced, read first time, and referred to committees:

**SB 312**, introduced by M. Phillips, referred to Federal Relations, Energy, and Telecommunications.

**SB 387**, introduced by C. Smith, referred to Natural Resources.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Staffanson in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:



HOUSE JOURNAL  
SIXTIETH LEGISLATIVE DAY - MARCH 23, 2015

**HB 145 - Senate Amendments** - Representative Cuffe moved Senate amendments to **HB 145** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 98

Nays: Schreiner, Tropila.  
Total 2

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 193 - Senate Amendments** - Representative Salomon moved Senate amendments to **HB 193** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 93

Nays: J. Bennett, Brodehl, Glimm, Hess, Lamm, Staffanson, Wagoner.  
Total 7

Excused: None.  
Total 0

HOUSE JOURNAL  
SIXTIETH LEGISLATIVE DAY - MARCH 23, 2015

Absent or not voting: None.

Total 0

**HB 353 - Senate Amendments** - Representative Greef moved Senate amendments to **HB 353** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Hunter, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McCarthy, McKamey, Meyers, Miller, Monforton, Moore, Noland, Olszewski, Osmundson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Steenberg, Tschida, Wagoner, White, Williams, Wittich, Zolnikov, Mr. Speaker.

Total 64

Nays: B. Bennett, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Jacobson, Kipp III, Lieser, MacDonald, McClafferty, McConnell, Mehlhoff, Mortensen, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Schreiner, Shaw, Smith, Swanson, Tropila, Webber, Welborn, Wilson, Woods.

Total 36

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 461 - Senate Amendments** - Representative Lavin moved Senate amendments to **HB 461** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 84

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Glimm, Hess, Jones, Lamm, Manzella, Monforton, Noland, Pinocci, Wagoner, White, Wittich.

Total 16

HOUSE JOURNAL  
SIXTIETH LEGISLATIVE DAY - MARCH 23, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 430** - Representative Fitzpatrick moved **HB 430** do pass. Motion carried as follows:

Yeas: B. Bennett, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Garner, Hayman, Hess, Hill, Hollandsworth, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lavin, Lieser, MacDonald, McCarthy, McConnell, McKamey, Mehlhoff, Meyers, Olsen, Pease-Lopez, Peppers, Perry, Person, Pope, Price, Richmond, Salomon, Schreiner, Steenberg, Tropila, Webber, Williams, Wilson, Woods.

Total 51

Nays: Ballance, J. Bennett, Berglee, Berry, B. Brown, Burnett, Doane, Ehli, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Holmlund, Lamm, Lang, Laszloffy, Lynch, Mandeville, Manzella, McClafferty, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Shaw, Smith, Staffanson, Swanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 49

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 576** - Representative Wittich moved **HB 576** do pass. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Doane, Essmann, Fiscus, Flynn, Garner, Glimm, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 50

Nays: B. Bennett, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fitzpatrick, Funk, Greef, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 50

HOUSE JOURNAL  
SIXTIETH LEGISLATIVE DAY - MARCH 23, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 79** - Representative Curdy moved **SB 79** be concurred in. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berry, Brodehl, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 84

Nays: Ballance, Berglee, B. Brown, Burnett, Cook, Doane, Ehli, Glimm, Harris, Lamm, Manzella, Miller, Mortensen, Noland, Welborn, Zolnikov.

Total 16

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 93** - Representative Kelker moved **SB 93** be concurred in.

**SB 93** - Representative Kelker moved **SB 93**, second reading copy, be amended as follows:

1. Page 1, line 23 through line 25.

**Following:** "convicted"

**Strike:** "of a traffic" on line 23 through "drugs" on line 25

**Insert:** "in any jurisdiction of a felony or misdemeanor offense"

Amendment adopted as follows:

Yeas: B. Bennett, J. Bennett, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell,

HOUSE JOURNAL  
SIXTIETH LEGISLATIVE DAY - MARCH 23, 2015

McKamey, Mehlhoff, Moore, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Woods, Mr. Speaker.

Total 79

Nays: Ballance, Berglee, B. Brown, Essmann, Fitzpatrick, Hagstrom, Harris, Hertz, Lamm, Laszloffy, Manzella, Meyers, Miller, Monforton, Mortensen, Osmundson, Schwaderer, Staffanson, Welborn, Wittich, Zolnikov.

Total 21

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 93** - Representative Kelker moved **SB 93**, as amended, be concurred in. Motion carried as follows:

Yeas: Berry, Z. Brown, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Greef, Hagstrom, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Laszloffy, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Regier, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Zolnikov.

Total 59

Nays: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Clark, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Lavin, Mandeville, Manzella, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Redfield, Ricci, Staffanson, Tschida, White, Wittich, Mr. Speaker.

Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 101** - Representative Court moved **SB 101** be concurred in. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Flynn, Funk, Garner, Greef,

HOUSE JOURNAL  
SIXTIETH LEGISLATIVE DAY - MARCH 23, 2015

Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 82

Nays: Ballance, B. Brown, Burnett, Fiscus, Fitzpatrick, Glimm, Hagstrom, Harris, Hertz, Jones, Lamm, Lavin, Miller, Noland, Ricci, Schwaderer, Tschida, White.

Total 18

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 150** - Representative D. Moore moved **SB 150** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Mr. Speaker.

Total 73

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Glimm, Hagstrom, Harris, Jones, Lamm, Laszloffy, Miller, Monforton, Mortensen, Noland, Pinocci, Randall, Regier, Schwaderer, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov.

Total 27

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 180** - Representative McKamey moved **SB 180** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berry, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe,

HOUSE JOURNAL  
SIXTIETH LEGISLATIVE DAY - MARCH 23, 2015

Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Williams, Wilson, Woods, Mr. Speaker.  
Total 71

Nays: Berglee, Brodehl, Burnett, Doane, Ehli, Essmann, Flynn, Glimm, Hagstrom, Harris, Jones, Lamm, Laszloffy, Lavin, Mandeville, Manzella, Monforton, Mortensen, Noland, Pinocci, Randall, Redfield, Regier, Ricci, Wagoner, Welborn, White, Wittich, Zolnikov.  
Total 29

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 188** - Representative Fitzpatrick moved **SB 188** be concurred in. Motion carried as follows:

Yeas: J. Bennett, Berglee, Berry, Brodehl, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Ehli, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lynch, Mandeville, McCarthy, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Osmundson, Pierson, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Tropila, Welborn, Mr. Speaker.  
Total 51

Nays: Ballance, B. Bennett, B. Brown, Z. Brown, Court, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Lamm, Lieser, MacDonald, Manzella, McClafferty, McConnell, Monforton, Mortensen, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pinocci, Pope, Price, Schreiner, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, White, Williams, Wilson, Wittich, Woods, Zolnikov.  
Total 49

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Staffanson moved the Committee of the Whole report be adopted. Report adopted as follows:

HOUSE JOURNAL  
SIXTIETH LEGISLATIVE DAY - MARCH 23, 2015

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 98

Nays: Hertz.  
Total 1

Excused: Hess.  
Total 1

Absent or not voting: None.  
Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 85** passed as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.  
Total 94

Nays: Ballance, Glimm, Staffanson, Tschida, Zolnikov.  
Total 5

Excused: Hess.



HOUSE JOURNAL  
SIXTIETH LEGISLATIVE DAY - MARCH 23, 2015

Total 1

Absent or not voting: None.

Total 0

**HB 100** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Karjala.

Total 1

Excused: Hess.

Total 1

Absent or not voting: None.

Total 0

**HB 102** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Z. Brown, Burnett.

Total 2

HOUSE JOURNAL  
SIXTIETH LEGISLATIVE DAY - MARCH 23, 2015

Excused: Hess.

Total 1

Absent or not voting: None.

Total 0

**HB 319** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hollandsworth, Holmlund, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Mandeville, McCarthy, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Peppers, Person, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tropila, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 67

Nays: B. Bennett, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Hayman, Hill, Hunter, Kipp III, Lieser, Lynch, MacDonald, Manzella, McClafferty, McConnell, Noonan, Olsen, Pease-Lopez, Perry, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Webber, Williams, Wilson, Woods.

Total 32

Excused: Hess.

Total 1

Absent or not voting: None.

Total 0

**HJR 16** adopted as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Garner, Hayman, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 51

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hill, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Mandeville, Manzella, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Pinocci, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 48

HOUSE JOURNAL  
SIXTIETH LEGISLATIVE DAY - MARCH 23, 2015

Excused: Hess.

Total 1

Absent or not voting: None.

Total 0

**SB 141** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 87

Nays: B. Brown, Glimm, Harris, Jones, Lamm, Mortensen, Noland, Pinocci, Staffanson, Wagoner, White, Wittich.

Total 12

Excused: Hess.

Total 1

Absent or not voting: None.

Total 0

**SB 174** concurred in as follows:

Yeas: Ballance, B. Bennett, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 81

Nays: J. Bennett, Berglee, Brodehl, B. Brown, Fiscus, Flynn, Glimm, Harris, Lamm, Manzella, Monforton, Noland, Pinocci, Schwaderer, Wagoner, Welborn, White, Wittich.

Total 18

HOUSE JOURNAL  
SIXTIETH LEGISLATIVE DAY - MARCH 23, 2015

Excused: Hess.

Total 1

Absent or not voting: None.

Total 0

**SB 184** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: Brodehl, Harris, Lamm, Redfield, Ricci, Staffanson, White.

Total 7

Excused: Hess.

Total 1

Absent or not voting: None.

Total 0

**SB 196** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall,

Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 93

HOUSE JOURNAL  
SIXTIETH LEGISLATIVE DAY - MARCH 23, 2015

Nays: Brodehl, Burnett, Lamm, Redfield, Regier, Zolnikov.

Total 6

Excused: Hess.

Total 1

Absent or not voting: None.

Total 0

**SB 332** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: Doane, Hagstrom, Harris, Lamm, Regier, Staffanson.

Total 6

Excused: Hess.

Total 1

Absent or not voting: None.

Total 0

**MOTIONS**

Majority Leader Regier moved **SB 93** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **SB 180** be moved from the Committee of the Whole to the Appropriations Committee.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Tuesday, March 24,

HOUSE JOURNAL  
SIXTIETH LEGISLATIVE DAY - MARCH 23, 2015

2015. Motion carried.

House adjourned at 3:18 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
SIXTY-FIRST LEGISLATIVE DAY**

Helena, Montana  
March 24, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Manzella. Pledge of Allegiance to the Flag. Roll Call. All members present. Quorum present.

**BILLS** (Welborn, Chair):

3/24/2015

Correctly printed: **HB 156, HB 245, HB 379, HB 389, SB 200, SB 235, SB 298, SJR 6.**

Correctly engrossed: **HB 464, HB 574, SB 168, SB 195, SB 220, SB 238, SB 295, SB 364.**

Correctly enrolled: **HB 69, HB 145, HB 193, HB 198, HB 240, HB 306, HB 353, HB 367, HB 372, HB 392, HB 461, HB 481, HJR 11.**

Transmitted to the Senate: **HJR 16, SB 141, SB 174, SB 184, SB 196, SB 332.**

Signed by the Speaker at 4:45 p.m., March 24, 2015: **HB 95, HB 396.**

Signed by the Chief Clerk of the House at 8:00 a.m., March 25, 2015: **HB 95, HB 396.**

Signed by the Speaker at 9:10 a.m., March 27, 2015: **HB 44, HB 85, HB 100, HB 164, HB 207, HB 270, HB 289, HB 319, HB 348, HB 422, HB 429, HB 507.**

Signed by the Chief Clerk of the House at 2:30 p.m., March 27, 2015: **HB 44, HB 85, HB 100, HB 164, HB 207, HB 270, HB 289, HB 319, HB 348, HB 422, HB 429, HB 507.**

Signed by the President at 10:00 a.m., March 24, 2015: **HB 54, HB 87, HB 124, HB 183, HB 227, HB 366, HB 382, HB 387, HB 397, HB 412, HB 414, HB 436, HB 449, HB 482, HB 518, HB 588, HJR 8.**

Delivered to the Governor for approval at 8:15 a.m., March 24, 2015: **HB 12, HB 90, HB 132, HB 135, HB 162, HB 194, HB 197, HB 203, HB 222, HB 225, HB 232, HB 233, HB 246, HB 279, HB 298, HB 354, HB 355, HB 390, HB 410.**

Delivered to the Governor for approval at 10:57 a.m., March 24, 2015: **HB 54, HB 87, HB 124, HB 183, HB 227, HB 366, HB 382, HB 387, HB 397, HB 412, HB 414, HB 436, HB 449, HB 482, HB 518, HB 588.**

Delivered to the Secretary of State at 8:20 a.m., March 24, 2015: **HJR 15.**

Delivered to the Secretary of State at 10:36 a.m., March 24, 2015: **HJR 8.**

**REPORTS OF STANDING COMMITTEES**

**APPROPRIATIONS** (Ballance, Chair):

3/23/2015

**HB 156**, do pass. Report adopted.

**HB 202**, introduced bill, be amended as follows:

1. Title, line 6.

**Following:** "VEHICLE;"

**Insert:** "RESTRICTING THE DEPARTMENT OF JUSTICE;"

HOUSE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 24, 2015

2. Page 4, line 8.

**Following:** "(12)"

**Insert:** "(a)"

**Strike:** "Revenue"

**Insert:** "Subject to subsection (12)(b), revenue"

3. Page 4.

**Following:** line 11

**Insert:** "(b) The department shall use revenue collected under this subsection (12) to offset any costs incurred by the department in reconfiguring or reprogramming the statewide online computer system maintained under 61-3-345 to allow for the donation provided for in subsection (5)(d)."

**Insert:** "NEW SECTION. **Section 3. Restriction on department of justice.** The department of justice may not change to a motor vehicle registration renewal card that is a larger format or different type from the card format and type in use prior to [the effective date of this act] solely because of the addition of the language allowing for the voluntary donation provided for in 61-3-303(5)(d)."

**Renumber:** subsequent sections

And, as amended, do pass. Report adopted.

**HB 245**, do pass. Report adopted.

**HB 379**, do pass. Report adopted.

**HB 389**, do pass. Report adopted.

**SB 200**, be concurred in. Report adopted.

**JUDICIARY** (Bennett, Chair):

3/24/2015

**HB 427**, introduced bill, be amended as follows:

1. Title, page 1, line 8 through line 9.

**Following:** "DUTIES OF THE" on line 8

**Strike:** "OFFICE OF PUBLIC" on line 8 through "DEFENDER" on line 9

**Insert:** "DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION"

2. Title, page 1, line 9.

**Following:** "PROVIDING"

**Insert:** "LEGAL"

**Following:** "COUNSEL"

**Insert:** "OR CONTRACTING TO PROVIDE LEGAL COUNSEL"

3. Title, page 1, line 10.

**Following:** "RESERVATION;"

**Insert:** "CREATING A WATER RIGHTS CLAIMS DEFENSE UNIT WITHIN THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION; PROVIDING RULEMAKING"



HOUSE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 24, 2015

AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES AND  
CONSERVATION;"

4. Title, page 1, line 11 through 12.

**Following:** "CONSERVATION"

**Strike:** ", "

**Insert:** "AND"

**Following:** "WATER COURT"

**Strike:** ", AND THE OFFICE" on line 11 through "OF PUBLIC DEFENDER" on line 12.

5. Title, page 1, line 12.

**Strike:** "SECTIONS"

**Insert:** "SECTION"

**Strike:** "47-1-103, 47-1-104, AND 47-1-201,"

6. Page 3, line 23.

**Strike:** "office of public defender"

**Insert:** "department of natural resources and conservation"

7. Page 4, line 13.

**Strike:** "office of public defender"

**Insert:** "department of natural resources and conservation"

8. Page 4, line 14.

**Strike:** "effective assistance of"

**Insert:** "legal"

9. Page 4, line 15.

**Following:** "tribes"

**Insert:** "as provided in [section 5]"

10. Page 4, line 22.

**Following:** line 21

**Insert:**        "NEW SECTION. **Section 5. Water rights claims defense unit.** (1) There is a water rights claims defense unit within the department of natural resources and conservation. The unit is under the supervision and control of the director of the department and consists of the employees of the department who the director considers necessary and appropriate by education, training, and experience to defend any person subject to a water court proceeding related to a water rights claim filed by the Confederated Salish and Kootenai tribes.

(2) The department may hire, contract for, and supervise attorneys and other personnel necessary to implement the provisions of this section. Contracting for personnel must be done through a competitive process that must, at a minimum, involve consideration of an attorney's qualifications to provide effective representation in water rights-related proceedings.

(3) The department shall adopt rules necessary to establish procedures and policies for contracting, reporting, and oversight of the water rights claims defense unit, including rules

HOUSE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 24, 2015

establishing reasonable compensation for attorneys and other contracted personnel and for identifying and avoiding conflicts of interest within the department related to the representation of persons under this section.

(4) The department shall report quarterly to the environmental quality council and the water policy interim committee regarding the status of any proceedings involving the defense of water rights claims under this section."

**Renumber:** subsequent sections

11. Page 6, line 4 through page 10, line 8.

**Strike:** section 6 through section 8 in their entirety

**Renumber:** subsequent sections

12. Page 10, line 14.

**Strike:** "(1) [Sections 2 and 3]"

**Insert:** "[Sections 2 through 5]"

13. Page 10, line 16.

**Strike:** "[sections 2 and 3]"

**Insert:** "[sections 2 through 5]"

14. Page 10, line 17 through line 18.

**Strike:** line 17 through line 18

And, as amended, do pass. Report adopted.

**SB 295**, be amended as follows:

1. Page 7.

**Following:** line 10

**Insert:** "COORDINATION SECTION. Section 4. Coordination instruction. If both House Bill No. 250 and [this act] are passed and approved, then House Bill No. 250 is void."

**Renumber:** subsequent section

And, as amended, be concurred in. Report adopted.

**SB 298**, be concurred in. Report adopted.

**NATURAL RESOURCES** (White, Chair):

3/23/2015

**HB 510**, introduced bill, be amended as follows:

1. Title, line 5 through line 7.

**Strike:** "IMMINENT" on line 5 through "RESOURCES" on line 7

**Insert:** "WILDFIRE RISK AND IMPROVING FOREST HEALTH ON FEDERAL LANDS"

HOUSE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 24, 2015

2. Title, line 7.

**Strike:** "DEPARTMENTS"

**Insert:** "DEPARTMENT"

3. Title, line 8.

**Strike:** "AND FISH, WILDLIFE, AND PARKS"

4. Title, line 9 through line 10.

**Strike:** "TO ADDRESS" on line 9 through "ACTIONS" on line 10

5. Title, line 10 through line 11.

**Strike:** "STATE FUEL" on line 10 through "FACILITATOR" on line 11

**Insert:** "LOCAL GOVERNMENT FOREST ADVISOR"

6. Page 1, line 16.

**Strike:** "consultants"

**Insert:** "consultant"

7. Page 1, line 17 through line 18.

**Strike:** "and the" on line 17 through "parks" on line 18

8. Page 1, line 19.

**Strike:** "shall"

**Insert:** "may"

**Following:** "serve as"

**Insert:** "a"

9. Page 1, line 19 through line 21.

**Strike:** "experts to aid in" on line 19 through "jurisdiction" on line 21

**Insert:** "expert on federal vegetation management projects"

10. Page 1, line 22 through line 24.

**Strike:** subsection (2) in its entirety

**Renumber:** subsequent subsections

11. Page 1, line 25.

**Strike:** "departments shall"

**Insert:** "department may"

**Following:** "assistance"

**Insert:** "to local governments"

12. Page 1, line 25 through line 29.

**Strike:** "(2) if a local" on line 25 through "resources" on line 29

**Insert:** "(1) on projects that address forest health or wildfire risk"

HOUSE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 24, 2015

13. Page 1, line 30.

**Strike:** "departments"

**Insert:** "department"

14. Page 2, line 2.

**Strike:** "departments"

**Insert:** "department"

15. Page 2, line 4.

**Strike:** "or"

**Insert:** "and"

16. Page 2, line 5.

**Strike:** "protect" through "lands"

**Insert:** "not exceed available staff time and resources"

17. Page 2, line 6.

**Strike:** "departments"

**Insert:** "department"

18. Page 2, line 8.

**Strike:** "Fuel reduction facilitator"

**Insert:** "Local government forest advisor"

19. Page 2, line 8.

**Strike:** "fuel reduction facilitator"

**Insert:** "local government forest advisor"

20. Page 2, line 9.

**Strike:** "fuel reduction facilitator"

**Insert:** "local government forest advisor"

**Following:** "shall"

**Strike:** "expedite fuel reduction"

**Insert:** "provide assistance on"

21. Page 2, line 10.

**Strike:** "(3) and (5)"

**Insert:** "(2) and (4)"

22. Page 2, line 12.

**Strike:** "\$120,000"

HOUSE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 24, 2015

**Insert:** "\$240,000"

**Following:** "fund"

**Insert:** "for the biennium beginning July 1, 2015,"

And, as amended, do pass. Report adopted.

**STATE ADMINISTRATION** (Essmann, Chair):  
**HB 464**, introduced bill, be amended as follows:

3/24/2015

1. Title, page 1, line 4.

**Strike:** "THE DEVELOPMENT OF"

**Insert:** "A VOLUNTARY"

2. Title, page 1, line 5.

**Strike:** "STANDARDS AND CREATING THE HIGH-PERFORMANCE COMPLIANCE"

3. Title, page 1, line 7.

**Strike:** "GRANTING RULEMAKING AUTHORITY;"

4. Page 1, line 13.

**Strike:** "compliance"

5. Page 1, line 14.

**Strike:** "-- rulemaking authority"

6. Page 1, line 15.

**Strike:** "and adopt by rule"

**Insert:** "a voluntary"

7. Page 1, line 16.

**Strike:** "standards of"

**Insert:** "program for the"

**Strike:** "for"

**Insert:** "of"

**Strike:** "these"

8. Page 1, line 17.

**Strike:** "standards"

**Insert:** "this program"

9. Page 1, line 23.

**Strike:** "compliance"

HOUSE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 24, 2015

10. Page 1, line 27.

**Following:** "(1)"

**Insert:** "(a)"

**Following:** "year, each"

**Insert:** "state"

**Following:** "agency"

**Insert:** ", other than the university system,"

11. Page 1, line 28.

**Strike:** "compliance"

12. Page 1, line 29.

**Strike:** "(2)"

**Insert:** "(1)(b)"

13. Page 1, line 29 through line 30.

**Strike:** "utility" on line 29 through "agency" on line 30

**Insert:** "operating expenses for building maintenance"

14. Page 2, line 1.

**Strike:** "(2)"

**Insert:** "(b)"

15. Page 2, line 2.

**Following:** "(1)"

**Insert:** "(a)"

16. Page 2, line 5.

**Strike:** "(3)"

**Insert:** "(c)"

**Strike:** "(2)"

**Insert:** "(1)(b)"

17. Page 2, line 6.

**Strike:** "(4)"

**Insert:** "(3)"

18. Page 2, line 7.

**Strike:** "(4)"

**Insert:** "(2)"

**Strike:** "For each fiscal year, the"

**Insert:** "The"

HOUSE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 24, 2015

19. Page 2, line 8.

**Following:** "17-2-102(4)"

**Insert:** "(e)"

**Strike:** "pursuant to subsection (1)"

**Insert:** "for each educational unit participating in the program established under [section 1]"

**Following:** "."

**Insert:** "At the end of each fiscal year, a participating educational unit may transfer to the unit's subfund the unit's unspent utility funds. All interest and income earned on the money in the subfund must remain in the subfund. The educational unit may use the money in the unit's subfund for the purposes described in subsection (3)."

20. Page 2, line 9.

**Strike:** "(5)"

**Insert:** "(3)"

21. Page 2, line 10.

**Strike:** "(4)"

**Insert:** "(2)"

22. Page 2, line 11.

**Strike:** "compliance"

**Insert:** "of university buildings"

And, as amended, do pass. Report adopted.

**HB 566**, introduced bill, be amended as follows:

1. Title, page 1, line 6.

**Strike:** "COMPOSITION"

**Insert:** "SELECTION"

2. Page 1, line 16.

**Strike:** "six"

**Insert:** "five"

3. Page 1, line 19 through line 23.

**Strike:** ", and the" on line 19 through "supreme court" on line 23

4. Page 1, line 25.

**Following:** "~~him.~~"

**Insert:** "Within 40 days after their designation, the four commissioners shall select the fifth member, who shall serve as chairman of the commission."

And, as amended, do pass. Report adopted.

HOUSE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 24, 2015

**HB 574**, introduced bill, be amended as follows:

1. Page 2, line 10 through line 11.

**Following:** "overtime payments" on line 10

**Strike:** " "

**Insert:** "and"

**Strike:** ", shift" on line 10 through "annual leave" on line 11

2. Page 2, line 12 through line 13.

**Following:** "overtime payments" on line 12

**Strike:** " "

**Insert:** "and"

**Strike:** ", shift" on line 12 through "annual leave" on line 13

3. Page 2, line 16 through line 17.

**Following:** "overtime" on line 16

**Strike:** " "

**Insert:** "payments and"

**Strike:** ", shift" on line 16 through "annual leave" on line 17

4. Page 2, line 20.

**Following:** line 20

**Insert:** "(i) shift differential payments, compensatory time payments, and payments in lieu of sick leave and annual leave;"

**Renumber:** subsequent subsections

6. Page 3, line 24.

**Strike:** "the base"

7. Page 4, line 11 through line 12.

**Following:** "overtime payments" on line 11

**Strike:** " "

**Insert:** "and"

**Strike:** ", shift" on line 11 through "sick leave" on line 12

8. Page 4, line 13 through line 14.

**Following:** "overtime payments" on line 13

**Strike:** " "

**Insert:** "and"

**Strike:** ", shift" on line 13 through "sick leave" on line 14

9. Page 4, line 18 through line 19.

**Following:** "overtime payments" on line 18

**Strike:** " "



HOUSE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 24, 2015

**Insert:** "and"

**Strike:** ", shift" on line 18 through "sick leave" on line 19

**Following:** ";

**Insert:** "or"

10. Page 4, line 21.

**Following:** "overtime"

**Insert:** "payments"

11. Page 4, line 25.

**Following:** "overtime"

**Insert:** "payments"

12. Page 4, line 30.

**Following:** line 30

**Insert:** "(i) shift differential payments, compensatory time payments, and payments in lieu of sick leave;"

**Renumber:** subsequent subsections

14. Page 6, line 17.

**Strike:** "the base"

And, as amended, do pass. Report adopted.

**SB 168**, be amended as follows:

1. Title, page 1, line 6.

**Strike:** "AND"

2. Title, page 1, line 7.

**Following:** "DUTY"

**Insert:** "; AND PROVIDING AN EFFECTIVE DATE"

3. Page 2, line 8.

**Strike:** "CONSIDER"

4. Page 2, line 16.

**Strike:** "ASSIGNING AS"

**Insert:** "assign"

**Following:** "FINAL"

**Insert:** "passing"

5. Page 2, line 16 through line 17.

**Following:** the first "COURSE" on line 16

**Strike:** "THE STUDENT'S" through "DUTY," on line 17

HOUSE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 24, 2015

6. Page 2, line 19.

**Strike:** "ASSIGNING"

**Insert:** "assign"

7. Page 2, line 21.

**Strike:** "ALLOWING"

**Insert:** "allow"

8. Page 3.

**Following:** line 21

**Insert:** "NEW SECTION. Section 8. Effective date. [This act] is effective August 1, 2015."

And, as amended, be concurred in. Report adopted.

**SB 191**, be amended as follows:

1. Title, page 1, line 5.

**Following:** "CONCERNING"

**Insert:** "CAPITAL IMPROVEMENTS AT"

2. Page 1, line 30.

**Strike:** "14"

**Insert:** "20"

**Following:** "years"

**Insert:** "if a capital improvement is made, subject to subsection (5)"

3. Page 2.

**Following:** line 6

**Insert:** "(5) A contract under subsection (2)(e) must require the concessionaire to provide a business plan offering a reasonable estimation that the cost of any capital improvement by the concessionaire will be repaid within the life of the contract, or that where a proprietary interest is held, the concessionaire's interest in any capital improvement may be sold at appraised value to a subsequent concessionaire when the contract concludes."

4. Page 2, line 16 through line 18.

**Strike:** "for concessions" on line 16 through "years" on line 18

**Insert:** "pursuant to 18-4-313(2)(e)"

And, as amended, be concurred in. Report adopted.

**SB 195**, be amended as follows:

1. Title, page 1, line 6.

**Strike:** "AND"

HOUSE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 24, 2015

2. Title, page 1, line 7.

**Following:** "MCA"

**Insert:** "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 5.

**Following:** line 1

**Insert:** "COORDINATION SECTION. Section 6. Coordination instruction. If both House Bill No. 68 and [this act] are passed and approved and if both amend 10-1-1003, then the sections amending 10-1-1003 are void and 10-1-1003 must be amended as follows:

**"10-1-1003. Definitions.** Unless the context requires otherwise, as used in this part, the following definitions apply:

(1) "Department" means the department of labor and industry established in 2-15-1701.

(2) "Elected official" means an official duly elected or appointed to any state or local judicial, legislative, or executive elective office of the state, a district, or a political subdivision of the state, including a school district or any other local district.

(3) (a) "Employer" means any public or private person or entity providing employment in Montana.

(b) The term does not include the United States.

(4) "Federally funded military duty" means duty, including training, performed pursuant to orders issued under Title 10 or Title 32 of the United States Code and the time period, if any, required pursuant to a licensed physician's certification to recover from an illness or injury incurred while performing the duty.

(5) "Member" means a member of the state's organized militia provided for in 10-1-103 or a member of the national guard of another state.

(6) "Military service" includes both federally funded military duty and state ~~active~~ military duty.

(7) (a) "State ~~active~~ military duty" means duty performed by a member ~~when a disaster or an emergency has been declared by the proper authority of the state~~ pursuant to Article VI, section 13, of the Montana constitution, the authority of the governor of any other state, or 10-1-505 to include and the time period, if any, required pursuant to a licensed physician's certification to recover from an illness or injury incurred while performing the ~~active~~ state military duty.

(b) The term does not include federally funded military duty."

**Insert:** "NEW SECTION. Section 7. Effective date. [This act] is effective on passage and approval."

And, as amended, be concurred in. Report adopted.

**SB 220**, be amended as follows:

1. Title, page 1, line 5.

**Following:** "BOARD;"

**Insert:** "REQUIRING A REPORT TO THE STATE ADMINISTRATION AND VETERANS' AFFAIRS INTERIM COMMITTEE;"

HOUSE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 24, 2015

2. Page 2, line 21.

**Following:** "agencies;"

**Strike:** "and"

3. Page 2, line 23.

**Following:** "legislature"

**Insert:** "; and

(9) prepare and submit to the state administration and veterans' affairs interim committee by September 15 in the year preceding the regular legislative session and in the manner provided in 5-11-210 a report including but not necessarily limited to a summary of the board's activities, a review of the electronic government program established under part 11 of this chapter, and any key findings and recommendations that the board presented to the department"

And, as amended, be concurred in. Report adopted.

**SB 235**, be concurred in. Report adopted.

**SB 238**, be amended as follows:

1. Page 1, line 19 through line 20.

**Strike:** ", including any" on line 19 through "postretirement adjustments" on line 20

2. Page 3, line 22.

**Following:** "adjustment"

**Insert:** "on that benefit"

**Following:** "chapter"

**Insert:** ", subject to subsection (3)"

3. Page 3, line 24.

**Following:** "adjustment"

**Insert:** "on that benefit"

4. Page 3, line 25.

**Following:** "chapter"

**Insert:** ", subject to subsection (3)"

5. Page 3, line 27 through line 28.

**Strike:** subsection (3) in its entirety

**Insert:** "(3) The postretirement benefit adjustment applied pursuant to (2)(b)(i) and pursuant to (2)(b)(ii) must commence on January 1 immediately following the member's retirement and does not apply to the member's DROP benefit."

6. Page 4, line 20.

**Strike:** "subsection (2)(b)"

**Insert:** "subsections (2)(b) and (4)"

HOUSE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 24, 2015

7. Page 4.

**Following:** line 30

**Insert:** "(4) If a member participated in the DROP and did not continue employment in a covered position after the member's participation, the guaranteed annual benefit adjustment provided for in this section must commence on January 1 immediately following the member's retirement and does not apply to the member's DROP benefit."

**Renumber:** subsequent subsection

And, as amended, be concurred in. Report adopted.

**SB 364**, be amended as follows:

1. Title, page 1, line 5.

**Strike:** "ALLOWING"

**Insert:** "REQUIRING"

2. Page 2, line 21.

**Strike:** "may"

**Insert:** "must"

And, as amended, be concurred in. Report adopted.

**SJR 6**, be concurred in. Report adopted.

**TAXATION** (Miller, Chair):

3/24/2015

**HB 114**, introduced bill, be amended as follows:

1. Title, page 1, line 7.

**Strike:** "ALLOWING" through "ACCOUNTS;"

2. Title, page 1, line 9.

**Strike:** "20-9-208,"

**Insert:** "20-9-141,"

Page 1, line 16

**Strike:** "(4)"

**Insert:** "(5)"

3. Page 1, line 21 through line 22.

**Strike:** "by" on line 21 through "receipt" on line 22

**Insert:** "or designated as operating reserve pursuant to 20-9-104 for the fiscal year following the fiscal year in which the remittance was received"

HOUSE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 24, 2015

4. Page 1, line 23.

**Following:** "one"

**Insert:** "or more"

**Following:** "funds"

**Insert:** "that has a mill levy for the current school year"

5. Page 1, line 29.

**Strike:** ", with" through "(2)(b)"

6. Page 2, line 1.

**Strike:** "3-year"

7. Page 2, line 1.

**Following:** line 1

**Insert:** "(4) Any portion of the increment remitted to a school district and deposited into the general fund must be designated as operating reserve, pursuant to 20-9-104 or used to reduce the BASE budget levy or the over-BASE budget levy in the following fiscal year."

**Renumber:** subsequent subsections

8. Page 2, line 2.

**Strike:** "all or a portion of"

**Following:** "taxes"

**Insert:** "or designate the remittance as operating reserve"

9. Page 2, line 3.

**Strike:** "3-year"

10. Page 4, line 14.

**Following:** line 14

**Insert:** "**Section 3.** Section 20-9-141, MCA, is amended to read:

**"20-9-141. Computation of general fund net levy requirement by county superintendent.** (1) The county superintendent shall compute the levy requirement for each district's general fund on the basis of the following procedure:

(a) Determine the funding required for the district's final general fund budget less the sum of direct state aid, the natural resource development K-12 funding payment, and the special education allowable cost payment for the district by totaling:

(i) the district's nonisolated school BASE budget requirement to be met by a district levy as provided in 20-9-303; and

(ii) any general fund budget amount adopted by the trustees of the district under the provisions of 20-9-308 and 20-9-353.

(b) Determine the money available for the reduction of the property tax on the district for the general fund by totaling:

(i) the general fund balance reappropriated, as established under the provisions of 20-9-104;

(ii) amounts received in the last fiscal year for which revenue reporting was required for

HOUSE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 24, 2015

each of the following:

(A) interest earned by the investment of general fund cash in accordance with the provisions of 20-9-213(4); and

(B) any other revenue received during the school fiscal year that may be used to finance the general fund, excluding any guaranteed tax base aid;

(iii) anticipated oil and natural gas production taxes;

(iv) pursuant to subsection (4), anticipated revenue from coal gross proceeds under 15-23-703; and

(v) school district block grants distributed under 20-9-630; and

(vi) any portion of the increment remitted to a school district under 7-15-4291 used to reduce the BASE levy budget.

(c) Notwithstanding the provisions of subsection (2), subtract the money available to reduce the property tax required to finance the general fund that has been determined in subsection (1)(b) from any general fund budget amount adopted by the trustees of the district, up to the BASE budget amount, to determine the general fund BASE budget levy requirement.

(d) Determine the sum of:

(i) any amount remaining after the determination in subsection (1)(c);

(ii) any portion of the increment remitted to a school district under 7-15-4291 used to reduce the over-BASE budget levy; and

(iii) any tuition payments for out-of-district pupils to be received under the provisions of 20-5-320 through 20-5-324, except the amount of tuition received for a pupil who is a child with a disability in excess of the amount received for a pupil without disabilities, as calculated under 20-5-323(2).

(e) Subtract the amount determined in subsection (1)(d) from any additional funding requirement to be met by an over-BASE budget amount, a district levy as provided in 20-9-303, and any additional financing as provided in 20-9-353 to determine any additional general fund levy requirements.

(2) The county superintendent shall calculate the number of mills to be levied on the taxable property in the district to finance the general fund levy requirement for any amount that does not exceed the BASE budget amount for the district by dividing the amount determined in subsection (1)(c) by the sum of:

(a) the amount of guaranteed tax base aid that the district will receive for each mill levied, as certified by the superintendent of public instruction; and

(b) the current total taxable valuation of the district, as certified by the department of revenue under 15-10-202, divided by 1,000.

(3) The net general fund levy requirement determined in subsections (1)(c) and (1)(d) must be reported to the county commissioners by the later of the first Tuesday in September or within 30 calendar days after receiving certified taxable values by the county superintendent as the general fund net levy requirement for the district, and a levy must be set by the county commissioners in accordance with 20-9-142.

(4) For each school district, the department of revenue shall calculate and report to the county superintendent the amount of revenue anticipated for the ensuing fiscal year from revenue from coal gross proceeds under 15-23-703."

**Renumber:** subsequent sections

HOUSE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 24, 2015

11. Page 4, line 16 through page 5, line 24.

**Strike:** section 3 in its entirety

And, as amended, do pass. Report adopted.

**HB 154**, introduced bill, be amended as follows:

1. Title, page 1, line 7.

**Strike:** "15-30-2301,"

2. Title, page 1, line 8 through line 9.

**Strike:** "15-30-2337," through "15-30-2341,"

3. Page 1, line 22.

**Strike:** subsection (c) in its entirety

**Renumber:** subsequent subsections

4. Page 2, line 1.

**Strike:** subsection (c) in its entirety

**Renumber:** subsequent subsections

5. Page 3, line 28 through page 4, line 5.

**Strike:** section 3 in its entirety

**Renumber:** subsequent sections

6. Page 7, line 23 through page 12, line 11.

**Strike:** section 8 through section 12 in their entirety

**Renumber:** subsequent sections

And, as amended, do pass. Report adopted.

**HB 407**, introduced bill, be amended as follows:

1. Title, line 4 through line 5.

**Strike:** "INCREASING" on line 4 through "VEHICLES" on line 5

**Insert:** "PROVIDING FOR AN OPTIONAL DONATION TO THE MONTANA HERITAGE  
PRESERVATION AND DEVELOPMENT COMMISSION WHEN REGISTERING A MOTOR  
VEHICLE"

**Strike:** "AMOUNT OF THE INCREASE"

**Insert:** "REVENUE THAT ACCRUES"

2. Title, line 7.

**Strike:** "61-3-321,"

**Insert:** "61-3-303,"



HOUSE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 24, 2015

3. Page 1, line 12 through page 5, line 7.

**Strike:** section 1 in its entirety

**Insert:** "Section 1. Section 61-3-303, MCA, is amended to read:

**"61-3-303. Original registration -- process -- fees.** (1) Except as provided in 61-3-324, a Montana resident who owns a motor vehicle, trailer, semitrailer, or pole trailer operated or driven upon the public highways of this state shall register the motor vehicle, trailer, semitrailer, or pole trailer in the county where the owner is domiciled. A nonresident who has an interest in real property in Montana may register in the county where the real property is located a motor vehicle, trailer, semitrailer, or pole trailer operated or driven upon the public highways of this state.

(2) Except as provided in subsection (3), the county treasurer or an authorized agent shall register any vehicle for which:

(a) as of the date that the motor vehicle, trailer, semitrailer, or pole trailer is to be registered, the owner delivers an application for a certificate of title to the department, an authorized agent, or a county treasurer; or

(b) the county treasurer or an authorized agent confirms that the department has an electronic record of title for the motor vehicle, trailer, semitrailer, or pole trailer as provided under 61-3-101.

(3) (a) A county treasurer or an authorized agent may register a motor vehicle, trailer, semitrailer, or pole trailer for which a certificate of title and registration were issued in another jurisdiction and for which registration is required under 61-3-701 after the county treasurer or the authorized agent examines the current out-of-jurisdiction registration certificate or receipt and receives payment of the fees required in 61-3-701. The county treasurer or an authorized agent may ask the motor vehicle, trailer, semitrailer, or pole trailer owner to provide additional information, prescribed by the department, to ensure that the electronic record of registration maintained by the department is complete.

(b) A county treasurer or an authorized agent may register a motor vehicle, trailer, semitrailer, or pole trailer for which the new owner cannot, due to circumstances beyond the new owner's control, surrender a previously assigned certificate of title. The new owner may submit an application for certificate of title, subject to the registration renewal limitations of 61-3-312.

(4) Upon registering a motor vehicle, trailer, semitrailer, or pole trailer for the first time in this state, the county treasurer or an authorized agent shall:

(a) update the electronic record of title, if any, maintained for the vehicle by the department under 61-3-101;

(b) assign a registration period for the vehicle under 61-3-311;

(c) determine the vehicle's age, if required, under 61-3-501;

(d) determine the amount of fees, including local option taxes or fees, to be paid under subsection (5); and

(e) assign and issue license plates for the vehicle under 61-3-331.

(5) Unless otherwise provided by law, a person registering a motor vehicle shall pay to the county treasurer or an authorized agent:

(a) the fees in lieu of tax or registration fees as required for:

(i) a light vehicle under 61-3-321 or 61-3-562, in addition to, if applicable, any local option tax or fee under 61-3-537 or 61-3-570;

(ii) a motor home under 61-3-321;

(iii) a travel trailer under 61-3-321;

HOUSE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 24, 2015

- (iv) a motorcycle or quadricycle under 61-3-321;
- (v) a bus, a truck having a manufacturer's rated capacity of more than 1 ton, or a truck tractor under 61-3-321 and 61-3-529; or
- (vi) a trailer under 61-3-321;
- (b) a donation of \$1 or more if the person indicates that the person wishes to donate to promote awareness and education efforts for procurement of organ and tissue donations in Montana to favorably impact anatomical gifts; ~~and~~
- (c) a donation of \$1 or more if the person indicates that the person wishes to donate to promote education on, support for, and awareness of traumatic brain injury; and
- (d) a donation of \$6 or more if the person indicates that the person wishes to donate to the Montana heritage preservation and development commission for restoration, maintenance, and operation of historic properties in Virginia City and Nevada City.
- (6) The county treasurer or an authorized agent may not issue a registration receipt or license plates for the motor vehicle, trailer, semitrailer, or pole trailer to the owner unless the owner makes the payments required by subsection (5).
- (7) The department may make full and complete investigation of the registration status of the motor vehicle, trailer, semitrailer, or pole trailer. A person seeking to register a motor vehicle, trailer, semitrailer, or pole trailer under this section shall provide additional information to support the registration to the department if requested.
- (8) Revenue that accrues from the voluntary donation provided in subsection (5)(b) must be forwarded by the respective county treasurer or an authorized agent to the department for deposit in the state special revenue fund to the credit of an account established by the department of public health and human services to support activities related to awareness and education efforts for procurement of organ and tissue donations for anatomical gifts.
- (9) (a) Except as provided in subsection (9)(b), the fees in lieu of tax, taxes, and fees imposed on or collected from the registration of a travel trailer, motorcycle, or quadricycle or a trailer, semitrailer, or pole trailer that has a declared weight of less than 26,000 pounds are required to be paid only once during the time that the travel trailer, motorcycle, quadricycle, trailer, semitrailer, or pole trailer is owned by the same person who registered the travel trailer, motorcycle, quadricycle, trailer, semitrailer, or pole trailer. Once registered, a travel trailer, motorcycle, quadricycle, trailer, semitrailer, or pole trailer is registered permanently unless ownership is transferred.
- (b) Whenever ownership of a travel trailer, motorcycle, quadricycle, trailer, semitrailer, or pole trailer is transferred, the new owner is required to register the travel trailer, motorcycle, quadricycle, trailer, semitrailer, or pole trailer as if it were being registered for the first time, including paying all of the required fees in lieu of tax, taxes, and fees.
- (10) Revenue that accrues from the voluntary donation provided in subsection (5)(c) must be forwarded by the respective county treasurer or an authorized agent to the department for deposit in the state special revenue fund to the credit of the account established in 2-15-2218 to support activities related to education regarding prevention of traumatic brain injury.
- (11) The department, an authorized agent of the department, or a county treasurer shall use the online motor vehicle liability insurance verification system provided in 61-6-157 to verify that the vehicle owner has complied with the requirements of 61-6-301.
- (12) Revenue that accrues from the voluntary donation provided in subsection (5)(d) must be forwarded by the respective county treasurer or an authorized agent to the department for deposit in the Montana heritage preservation and development account established in 22-3-1004

HOUSE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 24, 2015

to be used by the Montana heritage preservation and development commission for restoration, maintenance, and operation of historic properties in Virginia City and Nevada City."

And, as amended, do pass. Report adopted.

**HB 416**, introduced bill, be amended as follows:

1. Page 1, line 21.

**Strike:** "\$5,000"

**Insert:** "\$2,000"

**Following:** "received"

**Insert:** "per tax year"

And, as amended, do pass. Report adopted.

**HB 592**, introduced bill, be amended as follows:

1. Page 1, line 13.

**Strike:** "10%"

**Insert:** "5%"

And, as amended, do pass. Report adopted.

**TRANSPORTATION** (Lavin, Chair):

3/23/2015

**HB 599**, introduced bill, be amended as follows:

1. Title, line 6.

**Following:** "61-3-506,"

**Insert:** "61-3-537,"

2. Page 8, line 27.

**Following:** "vehicles"

**Strike:** " "

**Insert:** "or"

**Strike:** ", or truck tractors"

**Insert:** "but less than 55,000 pounds"

3. Page 9, line 18.

**Following:** "vehicle"

**Strike:** " "

**Insert:** "or a"

**Strike:** ", or truck tractor"

**Insert:** "but less than 55,000 pounds"

HOUSE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 24, 2015

4. Page 12.

**Following:** line 20

**Insert:** "Section 6. Section 61-3-537, MCA, is amended to read:

**"61-3-537. Local option motor vehicle tax.** (1) A county may impose a local option motor vehicle tax on motor vehicles subject to the registration fee imposed under 61-3-321(2) or 61-3-562(1)(a) at a rate of up to 0.7% of the value determined under 61-3-503 or a local flat fee, in addition to the fee imposed under 61-3-321(2) or 61-3-562(1)(a).

(2) A local option motor vehicle tax or flat fee is payable at the same time and in the same manner as the fee imposed under 61-3-321(2) or 61-3-562(1)(a). The tax or fee is distributed as follows:

(a) 50% to the county; and

(b) the remaining 50% to the county and the incorporated cities and towns within the county, apportioned on the basis of population. The distribution to a city or town is determined by multiplying the amount of money available by the ratio of the population of the city or town to the total county population. The distribution to the county is determined by multiplying the amount of money available by the ratio of the population of unincorporated areas within the county to the total county population.

(3) The governing body of a county may impose, revise, or revoke a local option motor vehicle tax or flat fee if the imposition, revision, or revocation of the tax or fee is approved by the electorate of the county. The imposition, revision, or revocation of the tax or fee is effective on January 1 following its approval by the electorate. The county governing body by resolution may provide for the distribution of the local option motor vehicle tax or flat fee."

**Renumber:** subsequent sections

5. Page 12, line 27.

**Following:** "ton"

**Strike:** "or a truck tractor"

**Insert:** "but less than 55,000 pounds"

6. Page 13, line 16.

**Strike:** "or truck tractor"

**Insert:** "with a manufacturer's rated capacity of less than 55,000 pounds"

**Following:** "pay"

**Insert:** "an amount equal to the permanent registration fee for light vehicles under subsection (1)(a) plus, as applicable,"

**Following:** "times"

**Insert:** ": (a)"

7. Page 13, line 17.

**Following:** "61-10-201"

**Insert:** ";

(b) the fee in lieu of tax pursuant to 61-3-529; and

(c) the additional fee provided for in 61-3-321(2), to be forwarded to the state for deposit in the account established in 44-1-504"

HOUSE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 24, 2015

8. Page 13, line 22.

**Following:** "61-3-321(2)"

**Insert:** ", (6), and (20)"

And, as amended, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**House bill** concurred in as amended and returned to the House for concurrence in Senate amendments:

3/21/2015

**HB 318**, introduced by Hill

**House bills** concurred in and returned to the House:

3/21/2015

**HB 44**, introduced by Berry

**HB 117**, introduced by Lynch

**HB 207**, introduced by Zolnikov

**HB 348**, introduced by Ballance

**House amendments to Senate bills** concurred in:

3/21/2015

**SB 31**, introduced by Whitford

**SB 74**, introduced by Moe

**Senate bills** passed and transmitted to the House for concurrence:

3/21/2015

**SB 99**, introduced by Cohenour

**SB 259**, introduced by Tutvedt

**MESSAGES FROM THE GOVERNOR**

March 24, 2015

The Honorable Austin Knudsen  
Speaker of the House  
State Capitol  
Helena, Montana 59620

Dear Speaker Knudsen:

Please be informed that I have signed **House Bill 88** sponsored by Representative Laszloffy, **House Bill 129** sponsored by Representative Hill, **House Bill 165** sponsored by Representative

HOUSE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 24, 2015

Regier, **House Bill 186** sponsored by Representative Pease-Lopez, **House Bill 206** sponsored by Representative Lang, and **House Bill 221** sponsored by Representative MacDonald on March 24, 2015.

Sincerely,

STEVE BULLOCK  
Governor

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 626**, introduced by N. McConnell, Dick Barrett, B. Bennett, Z. Brown, M. Dunwell, J. Eck, J. Ellis, M. Funk, E. Lieser, S. Malek, M. Moe, A. Olsen, C. Pease-Lopez, Z. Perry, M. Phillips, D. Sands, T. Steenberg, N. Wilson, T. Woods, referred to Natural Resources.

**HB 627**, introduced by R. Brodehl, G. Bennett, A. Doane, K. Dudik, R. Ehli, J. Ellis, F. Garner, C. Glimm, E. Greef, K. Hansen, S. Hess, K. Holmlund, C. Hunter, D. Jones, B. Keenan, D. Lamm, R. Lynch, A. Olsen, A. Person, A. Redfield, N. Schwaderer, T. Steenberg, B. Tschida, K. Wagoner, J. Eck, referred to Judiciary.

**HB 628**, introduced by R. Brodehl, A. Doane, K. Dudik, C. Glimm, E. Greef, K. Hansen, S. Hess, K. Holmlund, D. Jones, D. Lamm, A. Person, A. Redfield, N. Schwaderer, T. Steenberg, K. Wagoner, referred to Transportation.

**HB 629**, introduced by A. Redfield, referred to Agriculture.

**HB 630**, introduced by T. Manzella, referred to Natural Resources.

**HB 631**, introduced by N. Schwaderer, referred to Judiciary.

**HB 632**, introduced by N. Schwaderer, referred to Federal Relations, Energy, and Telecommunications.

**HB 633**, introduced by D. Mortensen, D. Zolnikov, referred to Judiciary.

The following Senate bills were introduced, read first time, and referred to committees:

**SB 99**, introduced by J. Cohenour (by request of the State Auditor), referred to Business and Labor.

**SB 259**, introduced by B. Tutvedt, referred to Business and Labor.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Dunwell in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HOUSE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 24, 2015

**HB 36 - Senate Amendments** - Representative Lynch moved Senate amendments to **HB 36** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 90

Nays: Berglee, B. Brown, Burnett, Glimm, Monforton, Mortensen, Noland, Pinocci, Wittich, Zolnikov.  
Total 10

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 107 - Senate Amendments** - Representative Cook moved Senate amendments to **HB 107** be concurred in. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 90

Nays: Ballance, B. Brown, Doane, Glimm, Hertz, Lamm, Manzella, Noland, Pinocci, White.  
Total 10

Excused: None.  
Total 0

HOUSE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 24, 2015

Absent or not voting: None.

Total 0

**HB 208 - Senate Amendments** - Representative D. Moore moved Senate amendments to **HB 208** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: Cuffe, Glimm, Harris, Miller, Noland, Pinocci, Schwaderer, White.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 241 - Senate Amendments** - Representative Berry moved Senate amendments to **HB 241** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: White.

Total 1



HOUSE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 24, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 285 - Senate Amendments** - Representative Flynn moved Senate amendments to **HB 285** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Glimm, White.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 375 - Senate Amendments** - Representative Lavin moved Senate amendments to **HB 375** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Webber, Welborn, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 87

HOUSE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 24, 2015

Nays: Curdy, Glimm, Hess, Lamm, Manzella, Miller, Monforton, Pinocci, Tropila, Wagoner, White, Wilson.  
Total 12

Excused: None.  
Total 0

Absent or not voting: Custer.  
Total 1

**HB 368** - Representative Hertz moved **HB 368** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 54

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 46

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 479** - Representative Olszewski moved **HB 479** do pass.

**HB 479** - Representative Olszewski moved **HB 479**, second reading copy, be amended as follows:

1. Page 1, line 16.

**Strike:** "4"

**Insert:** "5"

2. Page 1, line 30.

**Strike:** "4"

**Insert:** "5"

HOUSE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 24, 2015

3. Page 2.

**Following:** line 7

**Insert:** "(5) "Informed consent" means voluntary consent by a woman upon whom an invasive procedure is to be performed after a physician:

(a) provides the woman orally and in person with information on the proposed invasive procedure and on fetal pain; and

(b) personally provides the woman with written material developed in accordance with [section 5]."

**Renumber:** subsequent subsections

4. Page 2, line 9.

**Following:** "pharmacologic"

**Strike:** ", electromagnetic, or particle radiation"

**Insert:** "methods"

5. Page 2, line 27.

**Following:** "emergency"

**Insert:** "or the refusal of a woman to provide informed consent"

6. Page 3, line 13.

**Insert:** "NEW SECTION. **Section 5. Informed consent -- written material.** The department shall develop the written material to be used by physicians for the purposes of informed consent. Before initial publication of the material and for any subsequent revisions, the department shall make the draft material available for public comment."

**Renumber:** subsequent sections

7. Page 4, line 16.

**Strike:** "4"

**Insert:** "5"

8. Page 4, line 18.

**Strike:** "4"

**Insert:** "5"

Amendment adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cuffe, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 54

HOUSE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 24, 2015

Nays: B. Bennett, Z. Brown, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 46

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Harris rose on a **Point of Personal Privilege**, he responded to comments Representative Eck made about his testimony on **HB 479**. Representative Eck was given an opportunity to respond to Representative Harris.

**HB 479** - Representative Olszewski moved **HB 479**, as amended, do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 56

Nays: B. Bennett, Z. Brown, Clark, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 44

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 609** - Representative Lieser moved **HB 609** do pass. Motion carried as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Hayman, Hertz, Hill, Hollandsworth,

HOUSE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 24, 2015

Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 64

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Ehli, Glimm, Greef, Hagstrom, Harris, Hess, Holmlund, Jones, Lamm, Laszloffy, Lavin, Manzella, Monforton, Mortensen, Noland, Osmundson, Pinocci, Randall, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 36

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 8** - Representative Mandeville moved **SB 8** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 24, 2015

**SB 48** - Representative Olszewski moved **SB 48** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.  
Total 97

Nays: Miller, Schwaderer, Zolnikov.  
Total 3

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 321** - Representative Pinocci moved **SB 321** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McCarthy, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Osmundson, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Webber, Welborn, White, Zolnikov, Mr. Speaker.  
Total 64

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, MacDonald, McClafferty, McConnell, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pope, Price, Smith, Steenberg, Swanson, Tropila, Williams, Wilson, Wittich, Woods.  
Total 36

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 24, 2015

**SB 338** - Representative B. Smith moved **SB 338** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Hayman, MacDonald, Williams.

Total 3

Excused: None.

Total 0

Absent or not voting: Essmann.

Total 1

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Dunwell moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Custer, Doane, Dunwell, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, Manzella, McClafferty, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Peppers, Person, Pinocci, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Shaw, Smith, Staffanson, Steenberg, Tropila, Tschida, Wagoner, Webber, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 77

Nays: B. Bennett, Curdy, Dudik, Eck, Ellis, Hill, Hunter, Karjala, MacDonald, McCarthy, McConnell, Miller, Olsen, Pease-Lopez, Perry, Pierson, Pope, Schreiner, Schwaderer, Swanson, Williams, Wilson, Woods.

Total 23

Excused: None.

Total 0

HOUSE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 24, 2015

Absent or not voting: None.

Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 145** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Schreiner, Tropila.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 193** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 91



HOUSE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 24, 2015

Nays: J. Bennett, Brodehl, Glimm, Hess, Lamm, Pinocci, Staffanson, Wagoner, Wittich.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 353** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Noland, Olszewski, Osmundson, Pinocci, Pope, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 62

Nays: B. Bennett, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Kipp III, Lieser, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Mortensen, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Price, Schreiner, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 38

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 430** passed as follows:

Yeas: B. Bennett, Brodehl, Z. Brown, Clark, Cook, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Hayman, Hess, Hill, Hollandsworth, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lavin, Lieser, MacDonald, McCarthy, McConnell, McKamey, Mehlhoff, Moore, Mortensen, Olsen, Pease-Lopez, Peppers, Perry, Person, Pope, Price, Ricci, Richmond, Schreiner, Shaw, Steenberg, Tropila, White, Williams, Wilson, Woods.

Total 54

Nays: Ballance, J. Bennett, Berglee, Berry, B. Brown, Burnett, Court, Cuffe, Doane, Ehli, Flynn, Glimm, Harris, Hertz, Holmlund, Lamm, Lang, Laszloffy, Lynch, Mandeville, Manzella,

HOUSE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 24, 2015

McClafferty, Meyers, Miller, Monforton, Noland, Noonan, Olszewski, Osmundson, Pierson, Pinocci, Randall, Redfield, Regier, Salomon, Schwaderer, Smith, Staffanson, Swanson, Tschida, Wagoner, Webber, Welborn, Wittich, Zolnikov, Mr. Speaker.  
Total 46

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 461** passed as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Williams, Wilson, Woods, Mr. Speaker.  
Total 79

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Flynn, Glimm, Hess, Jones, Lamm, Laszloffy, Manzella, Meyers, Monforton, Noland, Pinocci, Wagoner, Welborn, White, Wittich, Zolnikov.  
Total 21

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 79** concurred in as follows:

Yeas: B. Bennett, J. Bennett, Berry, Brodehl, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.  
Total 79

HOUSE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 24, 2015

Nays: Ballance, Berglee, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Flynn, Glimm, Harris, Lamm, Manzella, Miller, Monforton, Mortensen, Noland, Pinocci, Randall, Schwaderer, Zolnikov.

Total 21

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 101** concurred in as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Greef, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 80

Nays: Ballance, B. Brown, Burnett, Fitzpatrick, Glimm, Hagstrom, Harris, Hertz, Jones, Lamm, Lavin, Manzella, Miller, Noland, Pinocci, Ricci, Schwaderer, Tschida, Welborn, White.

Total 20

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 150** concurred in as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Richmond, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Mr. Speaker.

Total 67

HOUSE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 24, 2015

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Flynn, Glimm, Hagstrom, Harris, Hess, Jones, Lamm, Laszloffy, McClafferty, Miller, Monforton, Mortensen, Noland, Osmundson, Pinocci, Randall, Regier, Ricci, Salomon, Schwaderer, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov.

Total 33

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 188** concurred in as follows:

Yeas: J. Bennett, Berglee, Berry, Brodehl, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Ehli, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Hertz, Hollandsworth, Holmlund, Jones, Kelker, Lang, Laszloffy, Lavin, Lynch, Mandeville, McCarthy, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Osmundson, Peppers, Pierson, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Shaw, Smith, Tropila, Tschida, Wagoner, Welborn, White, Mr. Speaker.

Total 52

Nays: Ballance, B. Bennett, B. Brown, Z. Brown, Court, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Funk, Harris, Hayman, Hess, Hill, Hunter, Jacobson, Karjala, Kipp III, Lamm, Lieser, MacDonald, Manzella, McClafferty, McConnell, Monforton, Mortensen, Noonan, Olsen, Olszewski, Pease-Lopez, Perry, Person, Pinocci, Pope, Price, Schreiner, Schwaderer, Staffanson, Steenberg, Swanson, Webber, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 48

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**MOTIONS**

Majority Leader Regier moved **HB 609** be moved from the Committee of the Whole to the Appropriations Committee.

Representative Wittich moved to reconsider action on **HB 576** and that **HB 576** be placed on second reading on March 25, 2015.

Motion **passed** as follows:

HOUSE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 24, 2015

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 54

Nays: B. Bennett, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 46

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Minority Leader Hunter moved that **SB 289** be taken from Business and Labor and brought before the Committee of the Whole, March 26, 2015.

Motion **passed** as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 52

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 48

Excused: None.

Total 0

HOUSE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 24, 2015

Absent or not voting: None.

Total 0

Representative Essmann moved **SB 289** be moved to the State Administration Committee.

Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 49

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 51

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Miller moved **SB 289** be moved to the Business and Labor Committee.

Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 49

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 51

HOUSE JOURNAL  
SIXTY-FIRST LEGISLATIVE DAY - MARCH 24, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Wagoner made a substitute motion to table **SB 289**.

Representative Wagoner withdrew his motion.

Representative J. Bennett made a motion to table **SB 289**.

The motion was substituted.

Representative Woods made a substitute motion to adjourn.

Motion **passed** as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 52

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 48

Excused: None.

Total 0

Absent or not voting: None.

Total 0

House adjourned at 3:45 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
SIXTY-SECOND LEGISLATIVE DAY**

Helena, Montana  
March 25, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Jerry Bennett. Pledge of Allegiance to the Flag. Roll Call. All members present, except Representative Lieser, excused. Quorum present.

**BILLS** (Welborn, Chair):

3/25/2015

Correctly printed: **HB 9, HB 433, HB 487, HB 488, HB 506, SB 176, SB 230, SB 270, SB 306, SB 318.**

Correctly engrossed: **HB 7, HB 8, HB 11, HB 403, HB 612, SB 356, SB 371, HB 234, HB 269, HB 606, HB 621, SB 333**

Correctly enrolled: **HB 33, HB 34, HB 35, HB 36, HB 47, HB 107, HB 208, HB 241, HB 252, HB 285, HB 375.**

Transmitted to the Senate: **HB 430, SB 79, SB 101, SB 150, SB 188.**

Signed by the Speaker at 9:30 a.m., March 27, 2015: **HB 69, HB 117, HB 145, HB 193, HB 198, HB 240, HB 306, HB 353, HB 367, HB 372, HB 392, HB 461, HB 481, HJR 11.**

Signed by the Chief Clerk of the House at 2:00 p.m., March 27, 2015: **HB 69, HB 117, HB 145, HB 193, HB 198, HB 240, HB 306, HB 353, HB 367, HB 372, HB 392, HB 461, HB 481, HJR 11.**

Signed by the President at 3:15 p.m., March 25, 2015: **HB 95, HB 396.**

Delivered to the Governor for approval at 4:00 p.m., March 25, 2015: **HB 95, HB 396.**

**COMMUNICATIONS AND PETITIONS**

Mr. Speaker: We, your committee on Legislative Administration, having examined the daily journals for the forty-sixth, forty-seventh, forty-eighth, forty-ninth, and fiftieth legislative days, find the same to be correct.

Representative Welborn, Chair

**REPORTS OF STANDING COMMITTEES**

**AGRICULTURE** (Redfield, Chair):

3/24/2015

**SB 176**, be concurred in. Report adopted.

**APPROPRIATIONS** (Ballance, Chair):

3/24/2015

**HB 234**, introduced bill, be amended as follows:

1. Title, page 1, line 7.

**Following:** the first "PROVIDING"

**Insert:** "A TRANSFER OF FUNDS AND"



HOUSE JOURNAL  
SIXTY-SECOND LEGISLATIVE DAY - MARCH 25, 2015

2. Page 1, line 16.

**Following:** "(a)"

**Insert:** "excluding federal funds,"

3. Page 1, line 26.

**Strike:** "The"

**Insert:** "Except as provided in subsection (8), the"

4. Page 2.

**Following:** line 8

**Insert:** "(8) The department may not expend state funds appropriated for shooting range grants for any other purpose, except that if the department declares that an emergency exists, the department may expend the funds to respond to the emergency if the department reports the details of the emergency and the department's justification for diverting the funds to the environmental quality council during a meeting of the council at least 60 days in advance of the diversion.

(9)(a) As used in this section, the term "emergency" means:

(i) a natural disaster such as a severe tornado, windstorm, snowstorm, high water, flooding, earthquake, or wildfire that significantly impacts a wildlife resource;

(ii) a state of emergency or disaster declared by the governor pursuant to 10-3-302 or 10-3-303;

(iii) a biological emergency demonstrated to affect wildlife in four or more of the department's administrative regions; and

(iv) an unforeseen event for which a program to address the event is not funded in the department's current budget.

(b) The term does not include:

(i) reserving appropriated funds for budget savings or to offset future spending;

(ii) general activities conducted by or general responsibilities of the department or any of its divisions;

(iii) funding an increase in pay or salary for personnel; or

(iv) funding for a new position within the department that is not included in the department's current budget."

**Insert:** "NEW SECTION. Section 3. Transfer of funds. In each year of the biennium beginning July 1, 2015, \$350,000 is transferred from the general license account to the shooting range grant account."

**Renumber:** subsequent sections

5. Page 2, line 11.

**Strike:** "\$500,000"

**Insert:** "\$350,000"

**Strike:** "general license"

**Insert:** "shooting range grant"

HOUSE JOURNAL  
SIXTY-SECOND LEGISLATIVE DAY - MARCH 25, 2015

6. Page 2.

**Following:** line 12

**Insert:** "NEW SECTION. Section 5. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 87, chapter 1, part 6, and the provisions of Title 87, chapter 1, part 6, apply to [section 1]."

**Renumber:** subsequent sections

And, as amended, do pass. Report adopted.

**HB 433**, do pass. Report adopted.

**HB 487**, do pass. Report adopted.

**HB 488**, do pass. Report adopted.

**HB 506**, do pass. Report adopted.

**HB 606**, introduced bill, be amended as follows:

1. Title, page 1, line 6.

**Following:** "EFFECTIVE DATE"

**Insert:** "AND A TERMINATION DATE"

2. Page 3, line 9.

**Following:** line 8

**Insert:** "NEW SECTION. Section 6. Termination. [This act] terminates June 30, 2021."

And, as amended, do pass. Report adopted.

**APPROPRIATIONS** (Ballance, Chair):

3/25/2015

**HB 7**, introduced bill, be amended as follows:

1. Page 2, line 11.

**Following:** line 10

**Insert:** "Central Montana Regional Water Authority  
(Musselshell-Judith Rural Water System Resources Monitoring) \$441,848"

2. Page 4, line 11.

**Following:** line 10

**Insert:** "COORDINATION SECTION. Section 7. Coordination instruction. If House Bill No. 226 is passed and approved with a reduction of funds for the natural resources projects state special revenue account created in 15-38-302, then the appropriation for reclamation and development grants of \$4,370,620 provided in [section 1(2) of this act] is reduced to \$3,770,620 and the projects authorized in [section 1(4) of this act] titled Montana Board of Oil & Gas Conservation (2015 Southern District) at an amount of \$300,000 and Montana Board of Oil & Gas Conservation (2015 Northeast District) at an amount of \$300,000 are eliminated."

**Renumber:** subsequent sections

And, as amended, do pass. Report adopted.

HOUSE JOURNAL  
SIXTY-SECOND LEGISLATIVE DAY - MARCH 25, 2015

**HB 8**, introduced bill, be amended as follows:

1. Page 1, line 30.

**Following:** line 29

**Insert:** "Department of Natural Resources and Conservation  
(Cottonwood Flume Replacement) \$800,000"

2. Page 2, line 29.

**Strike:** "\$26,602,374"

**Insert:** "\$27,482,374"

3. Page 2, line 30.

**Strike:** "\$2,418,398"

**Insert:** "\$2,498,398"

And, as amended, do pass. Report adopted.

**HB 9**, do pass. Report adopted.

**HB 11**, introduced bill, be amended as follows:

1. Page 7, line 16.

**Following:** line 15

**Insert:** "COORDINATION SECTION. Section 11. Coordination instruction.

(1) If House Bill No. 180 is not passed and approved with a continuation of the treasure state regional water system fund, then the appropriation to the department of natural resources and conservation in the treasure state endowment regional water system state special account of \$3,259,761 provided in [section 7(1) of this act] is reduced to \$1,190,000.

(2) If House Bill No. 180 is passed and approved with a continuation of the treasure state regional water system fund, then the appropriation to the department of natural resources and conservation in the treasure state endowment regional water system state special account of \$3,259,761 provided in [section 7(1) of this act] is increased by \$1 million, of which up to \$441,848 may be granted to the Central Montana Regional Water Authority for the Musselshell-Judith Rural Water System Resources Monitoring project."

**Renumber:** subsequent section

And, as amended, do pass. Report adopted.

**HB 403**, introduced bill, be amended as follows:

1. Page 1, line 10.

**Strike:** "7"

**Insert:** "6"

HOUSE JOURNAL  
SIXTY-SECOND LEGISLATIVE DAY - MARCH 25, 2015

2. Page 1, line 15.

**Strike:** "7"

**Insert:** "6"

3. Page 3, line 7.

**Following:** line 6

**Insert:** "Improvements at the Montana Military Museum  
65,000 (Authority Only)          65,000 (Total)"

4. Page 3, line 22.

**Following:** line 21

**Insert:** "DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION  
Aircraft Hanger, Kalispell  
190,000 (Authority Only)          190,000 (Total)"

5. Page 3, line 27.

**Strike:** "845,000" [in both places]

**Insert:** "635,000" [in both places]

**Following:** line 27

**Insert:** "The appropriation of \$635,000 for the migratory bird program may not be used for the  
acquisition of land."

6. Page 4, line 10 through line 11.

**Strike:** line 10 through line 11 in their entirety

7. Page 5, line 16 through line 25.

**Strike:** section 4 in its entirety

**Renumber:** subsequent sections

8. Page 6, line 21.

**Strike:** "7" in both places

**Insert:** "6" in both places

And, as amended, do pass. Report adopted.

**BUSINESS AND LABOR** (Berry, Chair):  
**SB 270**, be concurred in. Report adopted.

3/25/2015

**FISH, WILDLIFE AND PARKS** (Flynn, Chair):  
**HB 269**, introduced bill, be amended as follows:

3/24/2015

1. Page 3, line 18.

**Strike:** "\$8"

**Insert:** "\$3"

HOUSE JOURNAL  
SIXTY-SECOND LEGISLATIVE DAY - MARCH 25, 2015

2. Page 4.

**Following:** line 8

**Insert:** "COORDINATION SECTION. Section 3. Coordination instruction. If House Bill No. 140 and [this act] are passed and approved and if both contain a section that amends 87-2-202, then [section 2 of this act] is void."

**Renumber:** subsequent section

And, as amended, do pass. Report adopted.

**SB 230**, be concurred in. Report adopted.

**SB 333**, be amended as follows:

1. Page 1, line 12.

**Following:** "while"

**Insert:** "welcoming nonresidents licensed to hunt in Montana to enjoy the state's public wildlife resources and"

**Strike:** "the"

**Insert:** "nonresidents"

2. Page 1, line 13.

**Following:** "industry"

**Strike:** remainder of line 13 through "state"

And, as amended, be concurred in. Report adopted.

**JUDICIARY** (Bennett, Chair):

3/25/2015

**HB 612**, introduced bill, be amended as follows:

1. Page 1, line 22.

**Following:** "(a)"

**Insert:** "(i)"

2. Page 1, line 24.

**Following:** "may"

**Insert:** ", if the requirements of subsection (3)(a)(ii) are met,"

3. Page 1, line 27.

**Following:** line 27

**Insert:** "(ii) Before a person may enter into a written agreement to participate in the pilot project, the person must be informed in writing of the person's rights, including advisement on the person's rights if the person voluntarily participates in the pilot project or chooses not to participate in the pilot project, and must sign and acknowledge that the person fully understands the person's rights and voluntarily agrees to participate in the pilot project."

HOUSE JOURNAL  
SIXTY-SECOND LEGISLATIVE DAY - MARCH 25, 2015

4. Page 2, line 9.

**Following:** line 9

**Insert:** "(d) An audio recording must be made of each meeting that a court diversion officer has with the parties."

And, as amended, do pass. Report adopted.

**SB 306**, be concurred in. Report adopted.

**SB 318**, be concurred in. Report adopted.

**SB 356**, be amended as follows:

1. Page 1, line 30.

**Following:** "include"

**Insert:** "a specific section of"

And, as amended, be concurred in. Report adopted.

**SB 371**, be amended as follows:

1. Title, page 1, line 8.

**Following:** "TERMINATED;"

**Insert:** "REVISING HOLDOVER REMEDIES; REDUCING THE TIME FOR FILING AN ANSWER; ALLOWING A LANDLORD DEFAULT JUDGMENT UNDER CERTAIN CIRCUMSTANCES;"

**Following:** "70-24-422,"

**Insert:** "70-24-429,"

**Following:** "70-33-422,"

**Insert:** "70-33-429,"

2. Page 2, line 23.

**Following:** line 22

**Insert:** "**Section 2.** Section 70-24-429, MCA, is amended to read:

**"70-24-429. Holdover remedies -- consent to continued occupancy -- tenant's response to service in action for possession.** (1) If the tenant remains in possession without the landlord's consent after expiration of the term of the rental agreement or its termination, the landlord may bring an action for possession. If the tenant's holdover is purposeful and not in good faith, the landlord may recover an amount not more than 3 months' periodic rent or treble damages, whichever is greater.

(2) In an action for possession or unlawful holdover, the provisions of Title 25, chapter 23, apply, except that the time for filing an answer under Rule 4C(2)(b) is ~~10~~ 3 days after service of summons and complaint, exclusive of the date of service.

(3) If the tenant fails to respond to the summons and complaint within 3 days pursuant to subsection (2), the landlord is entitled to default judgment and a writ of assistance for possession.

HOUSE JOURNAL  
SIXTY-SECOND LEGISLATIVE DAY - MARCH 25, 2015

~~(3)~~(4) If the landlord consents to the tenant's continued occupancy, 70-24-201(2)(e) applies.""

**Renumber:** subsequent sections

3. Page 3, line 11.

**Following:** line 10

**Insert:** "Section 4. Section 70-33-429, MCA, is amended to read:

**"70-33-429. Holdover remedies -- consent to continued occupancy.** (1) If the tenant remains in possession without the landlord's consent after expiration of the term of the rental agreement or other termination of the rental agreement, the landlord may bring an action for possession. If the tenant's holdover is purposeful and not in good faith, the landlord may recover an amount of not more than 3 months' rent or treble damages, whichever is greater.

(2) In an action for possession or unlawful holdover, the provisions of Title 25, chapter 23, apply, except that the time for filing an answer under Rule 4C(2)(b) is ~~40~~ 3 days after service of summons and complaint, exclusive of the date of service.

(3) If the tenant fails to respond to the summons and complaint within 3 days pursuant to subsection (2), the landlord is entitled to default judgment and a writ of assistance for possession.

~~(3)~~(4) If the landlord consents to the tenant's continued occupancy, 70-33-201(2)(e) applies.""

**Renumber:** subsequent sections

4. Page 5, line 16.

**Strike:** "3"

**Insert:** "7"

And, as amended, be concurred in. Report adopted.

**TAXATION** (Miller, Chair):

3/25/2015

**HB 621**, introduced bill, be amended as follows:

1. Title, page 1, line 6.

**Following:** "RESIDENCE;"

**Insert:** "REQUIRING NOTIFICATION BY A SHERIFF PRIOR TO ISSUANCE OF A TAX DEED;"

2. Title, page 1, line 7.

**Following:** "15-17-322,"

**Strike:** "AND"

**Following:** "15-18-211,"

**Insert:** "AND 15-18-212,"

3. Page 1, line 21.

**Strike:** "may"

**Insert:** "shall"

HOUSE JOURNAL  
SIXTY-SECOND LEGISLATIVE DAY - MARCH 25, 2015

4. Page 7, line 16.

**Following:** line 15

**Insert:** "**Section 10.** Section 15-18-212, MCA, is amended to read:

**"15-18-212. Notice -- proof of notice -- penalty for failure to notify.** (1) Not more than 60 days prior to and not more than 60 days following the expiration of the redemption period provided in 15-18-111, a notice must be given as follows:

(a) for each property for which there has been issued to the county a tax lien sale certificate or for which the county is otherwise listed as the purchaser or assignee, the county clerk and recorder shall notify the parties as required in subsection (4) and the current occupant of the property, if any, that a tax deed may be issued to the county unless the property tax lien is redeemed prior to the expiration date of the redemption period; or

(b) for each property for which there has been issued a tax lien sale certificate to a purchaser other than the county or for which an assignment has been made, the purchaser or assignee, as appropriate, shall notify the parties as required in subsection (4), if any, that a tax deed will be issued to the purchaser or assignee unless the property tax lien is redeemed prior to the expiration date of the redemption period.

(2) (a) Except as provided in subsection (2)(b), if the county is the purchaser, an assignment has not been made, and the board of county commissioners has not directed the county treasurer to issue a tax deed during the period described in subsection (1) but the board of county commissioners at a time subsequent to the period described in subsection (1) does direct the county treasurer to issue a tax deed, the county clerk and recorder shall provide notification to the parties as required in subsection (4) and the current occupant, if any, in the manner provided in subsection (1)(a). The notification required under this subsection must be made not less than 60 days or more than 120 days prior to the date on which the county treasurer will issue the tax deed.

(b) If the county commissioners direct the county treasurer to issue a tax deed within 6 months after giving the notice required by subsection (1)(a), additional notice need not be given.

(3) (a) If a purchaser other than the county or an assignee fails or neglects to give notice as required by subsection (1)(b) and the failure or neglect is evidenced by failure of the purchaser or assignee to file proof of notice with the county clerk and recorder as required in subsection (8), the county treasurer shall notify the purchaser or assignee of the obligation to give notice under subsection (1)(b). The notice of obligation may be sent by certified mail, return receipt requested, to the purchaser or assignee at the address contained on the tax lien sale certificate provided for in 15-17-212 or on the assignment form provided for in 15-17-323.

(b) If within 120 days after the county treasurer mails the notice of obligation the purchaser or assignee fails to give notice as required by subsection (1)(b), as evidenced by failure to file proof of notice with the county clerk and recorder as required in subsection (8), the county treasurer shall cancel the property tax lien evidenced by the tax lien sale certificate or the assignment. Upon cancellation of the property tax lien, the county treasurer shall file or record with the county clerk and recorder a notice of cancellation on a form provided for in 15-18-217.

(4) (a) The notice required under subsections (1) and (2) must be made by certified mail, return receipt requested, to the current occupant, if any, of the property and to each party, other than a utility, listed on a property title guarantee, provided that:

(i) the guarantee has been approved by the insurance commissioner and issued by a licensed title insurance producer; and



HOUSE JOURNAL  
SIXTY-SECOND LEGISLATIVE DAY - MARCH 25, 2015

(ii) the guarantee was ordered on the property by the person required to give notice.

(b) The current occupant must also be served in person by the sheriff or by a registered process server provided for in 37-60-301. The service must include a form on which the occupant may certify the property as a principal residence for the purposes of [section 1].

~~(b)~~(c) The address to which the notice must be sent is, for each party, the address disclosed by the records in the office of the county clerk and recorder or in the title guarantee and, for the occupant, the street address or other known address of the subject property.

(5) In all cases in which the address of an interested party is not known, the person required to give notice shall, within the period described in subsection (1) or not less than 60 days or more than 120 days prior to the date upon which the county treasurer will otherwise issue a tax deed, whichever is appropriate, commence publishing once a week for 2 successive weeks, in the official newspaper of the county or another newspaper as the board of county commissioners may by resolution designate, a notice containing the information contained in subsection (6), plus:

(a) the name of the party for whom the address is unknown;

(b) a statement that the address of the party is unknown;

(c) a statement that the published notice meets the legal requirements for notice of a pending tax deed issuance; and

(d) a statement that the party's rights in the property may be in jeopardy.

(6) The notices required by subsections (1), (2), and (5) must contain the following:

(a) a statement that a property tax lien exists on the property as a result of a property tax delinquency;

(b) a description of the property on which the taxes are or were delinquent, which must be the same as the description of the property on the tax lien sale certificate or in the record described in 15-17-214(2)(b);

(c) the date that the property taxes became delinquent;

(d) the date that the property tax lien attached as the result of a tax lien sale;

(e) the amount of taxes due, including penalties, interest, and costs, as of the date of the notice of pending tax deed issuance, which amount must include a separate listing of the delinquent taxes, penalties, interest, and costs that must be paid for the property tax lien to be liquidated;

(f) the name and address of the purchaser;

(g) the name of the assignee if an assignment was made as provided in 15-17-323;

(h) the date that the redemption period expires or expired;

(i) a statement that if all taxes, penalties, interest, and costs are not paid to the county treasurer on or prior to the date on which the redemption period expires or on or prior to the date on which the county treasurer will otherwise issue a tax deed, a tax deed may be issued to the purchaser on the day following the date on which the redemption period expires or on the date on which the county treasurer will otherwise issue a tax deed; and

(j) the business address and telephone number of the county treasurer who is responsible for issuing the tax deed.

(7) The amount of interest and costs provided for in subsection (6)(e) continues to accrue until the date of redemption. The total amount of interest and costs that must be paid for redemption must be calculated by the county treasurer as of the date of payment.

(8) Proof of notice in whatever manner given must be filed with the county clerk and recorder. If the purchaser or assignee is other than the county, the proof of notice must be filed with the county clerk and recorder within 30 days of the mailing or publishing of the notice. If the

HOUSE JOURNAL  
SIXTY-SECOND LEGISLATIVE DAY - MARCH 25, 2015

purchaser or assignee is the county, the proof of notice must be filed before the issuance of the tax deed under this chapter. Once filed, the proof of notice is prima facie evidence of the sufficiency of the notice.

(9) A county or any officer of a county may not be held liable for any error of notification."

**Renumber:** subsequent sections

And, as amended, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**House bills** concurred in as amended and returned to the House for concurrence in Senate amendments:

3/23/2015

**HB 60**, introduced by Curdy

**HB 450**, introduced by Wagoner

**HB 504**, introduced by Hayman

**HB 523**, introduced by Berglee

**House bills** concurred in and returned to the House:

3/23/2015

**HB 69**, introduced by Custer

**HB 198**, introduced by Regier

**HB 240**, introduced by Berry

**HB 306**, introduced by Eck

**HB 367**, introduced by Custer

**HB 372**, introduced by Garner

**HB 392**, introduced by Garner

**HB 481**, introduced by Hunter

**House joint resolution** concurred in and returned to the House:

3/23/2015

**HJR 11**, introduced by Lang

**House amendments NOT** concurred in:

3/23/2015

**SB 126**, introduced by Webb

**SB 126** - The Senate failed to concur in House amendments to **SB 126**, authorized the President to appoint the following Conference Committee, and requested that the House appoint a like committee to confer on House amendments to **SB 126**:

3/24/2015

Senator Webb, Chair

Senator Facey

Senator Hansen

HOUSE JOURNAL  
SIXTY-SECOND LEGISLATIVE DAY - MARCH 25, 2015

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 634**, introduced by A. Olszewski, S. Fitzpatrick, B. Hamlett, R. Hollandsworth, R. Mehlhoff, C. Schreiner, referred to Appropriations.

**HB 635**, introduced by T. Jacobson, referred to Education.

**HB 636**, introduced by D. Lamm, referred to Appropriations.

**HB 637**, introduced by A. Person, referred to Taxation.

**HB 638**, introduced by T. Woods, referred to Federal Relations, Energy, and Telecommunications.

**HB 639**, introduced by E. Hill, referred to State Administration.

**HB 640**, introduced by F. Mandeville, referred to Local Government.

The following House joint resolution was introduced, read first time, and referred to committee:

**HJR 24**, introduced by W. Curdy, S. Lavin, referred to Transportation.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Doane in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 513 - Senate Amendments** - Representative Person moved Senate amendments to **HB 513** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Monforton, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 78

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Glimm, Hess, Jones, Lamm, Laszloffy, Manzella, Meyers, Miller, Mortensen, Noland, Pinocci, Tschida, Wagoner, Welborn, White, Wittich.

Total 22

HOUSE JOURNAL  
SIXTY-SECOND LEGISLATIVE DAY - MARCH 25, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 559** - Representative Kipp moved **HB 559** do pass. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Funk, Garner, Greef, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 71

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Fiscus, Flynn, Glimm, Hagstrom, Hess, Jones, Lamm, Lang, Laszloffy, Manzella, Monforton, Noland, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Tschida, White, Wittich, Zolnikov.

Total 29

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 576** - Representative Wittich moved **HB 576** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 53

Nays: B. Bennett, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 47

HOUSE JOURNAL  
SIXTY-SECOND LEGISLATIVE DAY - MARCH 25, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 590** - Representative Cuffe moved **HB 590** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 97

Nays: Burnett, Karjala, Zolnikov.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 138** - Representative Fitzpatrick moved **SB 138** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Hagstrom, Schwaderer.

Total 2

HOUSE JOURNAL  
SIXTY-SECOND LEGISLATIVE DAY - MARCH 25, 2015

Excused: None.

Total 0

Absent or not voting: Custer.

Total 1

**SB 140** - Representative Osmundson moved **SB 140** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: McClafferty.

Total 1

Excused: None.

Total 0

Absent or not voting: Schwaderer.

Total 1

**SB 144** - Representative Fitzpatrick moved **SB 144** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

HOUSE JOURNAL  
SIXTY-SECOND LEGISLATIVE DAY - MARCH 25, 2015

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Schwaderer.

Total 1

**SB 276** - Representative Olszewski moved **SB 276** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 57

Nays: B. Bennett, Z. Brown, Burnett, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 42

Excused: None.

Total 0

Absent or not voting: Lang.

Total 1

**SB 277** - Representative Olszewski moved **SB 277** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Z. Brown, Burnett, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy,

HOUSE JOURNAL  
SIXTY-SECOND LEGISLATIVE DAY - MARCH 25, 2015

McClafferty, McConnell, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 327** - Representative Pinocci moved **SB 327** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 98

Nays: Peppers, Tropila.  
Total 2

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Doane moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Custer, Doane, Dunwell, Eck, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Person, Pinocci,



HOUSE JOURNAL  
SIXTY-SECOND LEGISLATIVE DAY - MARCH 25, 2015

Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wittich, Zolnikov, Mr. Speaker.

Total 85

Nays: B. Bennett, Curdy, Dudik, Ellis, Karjala, Olsen, Pease-Lopez, Peppers, Perry, Pierson, Schreiner, White, Wilson, Woods.

Total 14

Excused: Lieser.

Total 1

Absent or not voting: None.

Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 36** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 92

Nays: B. Brown, Burnett, Cuffe, Monforton, Mortensen, Wittich, Zolnikov.

Total 7

Excused: Lieser.

Total 1

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SIXTY-SECOND LEGISLATIVE DAY - MARCH 25, 2015

**HB 107** passed as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 85

Nays: Ballance, B. Brown, Doane, Flynn, Glimm, Hertz, Jones, Lamm, Manzella, Noland, Pinocci, Schwaderer, Staffanson, White.

Total 14

Excused: Lieser.

Total 1

Absent or not voting: None.

Total 0

**HB 156** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Dudik, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Perry, Person, Pierson, Pinocci, Pope, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Zolnikov, Mr. Speaker.

Total 80

Nays: B. Bennett, Court, Dunwell, Eck, Ellis, Harris, Hayman, Kelker, MacDonald, McConnell, Monforton, Olsen, Pease-Lopez, Peppers, Price, Williams, Wilson, Wittich, Woods.

Total 19

Excused: Lieser.

Total 1

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SIXTY-SECOND LEGISLATIVE DAY - MARCH 25, 2015

**HB 208** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Zolnikov, Mr. Speaker.

Total 88

Nays: Cuffe, Glimm, Harris, McKamey, Miller, Noland, Olsen, Pinocci, White, Wittich, Woods.

Total 11

Excused: Lieser.

Total 1

Absent or not voting: None.

Total 0

**HB 241** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: Lieser.

Total 1

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SIXTY-SECOND LEGISLATIVE DAY - MARCH 25, 2015

**HB 245** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Cuffe, Custer, Doane, Eck, Ehli, Essmann, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, MacDonald, Manzella, McCarthy, McConnell, McKamey, Miller, Monforton, Mortensen, Noland, Osmundson, Pease-Lopez, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, White, Wilson, Wittich, Zolnikov, Mr. Speaker.

Total 61

Nays: Clark, Court, Curdy, Dudik, Dunwell, Ellis, Fitzpatrick, Funk, Garner, Hayman, Hill, Hunter, Karjala, Kelker, Kipp III, Lynch, Mandeville, McClafferty, Mehlhoff, Meyers, Moore, Noonan, Olsen, Olszewski, Peppers, Perry, Person, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Woods.

Total 38

Excused: Lieser.

Total 1

Absent or not voting: None.

Total 0

**HB 285** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: Lieser.

Total 1

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SIXTY-SECOND LEGISLATIVE DAY - MARCH 25, 2015

**HB 368** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 53

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 46

Excused: Lieser.

Total 1

Absent or not voting: None.

Total 0

**HB 375** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Webber, Welborn, White, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 84

Nays: J. Bennett, Curdy, Ellis, Hess, Lamm, Manzella, Miller, Monforton, Olsen, Peppers, Randall, Schwaderer, Tropila, Wagoner, Wilson.

Total 15

Excused: Lieser.

Total 1

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SIXTY-SECOND LEGISLATIVE DAY - MARCH 25, 2015

**HB 379** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 99

Nays: None.  
Total 0

Excused: Lieser.  
Total 1

Absent or not voting: None.  
Total 0

**HB 389 failed** as follows:

Yeas: Berglee, Berry, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Hagstrom, Harris, Hertz, Hollandsworth, Holmlund, Jones, Lang, Laszloffy, Lavin, Mandeville, McCarthy, McKamey, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 48

Nays: Ballance, B. Bennett, J. Bennett, Brodehl, B. Brown, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Glimm, Greef, Hayman, Hess, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lynch, MacDonald, Manzella, McClafferty, McConnell, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Williams, Wilson, Woods.  
Total 51

Excused: Lieser.  
Total 1

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
SIXTY-SECOND LEGISLATIVE DAY - MARCH 25, 2015

**HB 479** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 56

Nays: B. Bennett, Z. Brown, Clark, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 43

Excused: Lieser.

Total 1

Absent or not voting: None.

Total 0

**SB 8** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Miller.

Total 1

Excused: Lieser.

Total 1

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SIXTY-SECOND LEGISLATIVE DAY - MARCH 25, 2015

**SB 48** concurred in as follows:

Yeas: B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lynch, MacDonald, Mandeville, McClafferty, McConnell, Mehlhoff, Meyers, Monforton, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods.

Total 77

Nays: Ballance, J. Bennett, B. Brown, Doane, Essmann, Fiscus, Harris, Hertz, Lamm, Manzella, McCarthy, McKamey, Miller, Moore, Mortensen, Randall, Redfield, Schwaderer, Staffanson, Wittich, Zolnikov, Mr. Speaker.

Total 22

Excused: Lieser.

Total 1

Absent or not voting: None.

Total 0

**SB 200** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 40

Excused: Lieser.

Total 1

Absent or not voting: None.

Total 0



HOUSE JOURNAL  
SIXTY-SECOND LEGISLATIVE DAY - MARCH 25, 2015

**SB 321** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McCarthy, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 64

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, MacDonald, McClafferty, McConnell, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 35

Excused: Lieser.

Total 1

Absent or not voting: None.

Total 0

**SB 338** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Hayman, MacDonald, Wilson.

Total 3

Excused: Lieser.

Total 1

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SIXTY-SECOND LEGISLATIVE DAY - MARCH 25, 2015

**MOTIONS**

Majority Leader Regier moved **HB 559** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **HB 576** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **SB 276** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved the House accede to the request of the Senate and appoint a Conference Committee on **SB 126**. Motion carried. Speaker Knudsen appointed:

3/25/2015

Representative Berglee  
Representative Mehlhoff  
Majority Leader Regier

Representative Dudik moved to change their vote on **HB 156** from No to Yes. Without objection, so ordered.

Representative McKamey moved to change their vote on **HB 479** from No to Yes. Without objection, so ordered.

Representative Pierson moved to change their vote on **HB 389** from Yes to No. Without objection, so ordered.

Representative Court moved to change their vote on **HB 430** from No to Yes. Without objection, so ordered.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Thursday, March 26, 2015. Motion carried.

House adjourned at 2:50 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
SIXTY-THIRD LEGISLATIVE DAY**

Helena, Montana  
March 26, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Wagoner. Pledge of Allegiance to the Flag. Roll Call. All members present. Quorum present.

**BILLS** (Welborn, Chair):

3/26/2015

Correctly printed: **HB 615, HB 620, HB 630, SB 34, SJR 14.**

Correctly engrossed: **HB 6, HB 219, HB 305, HB 356, HB 496, HB 593, HB 596, HB 604, HB 607, HB 610, HB 614, HB 617, HB 618, SB 258, SJR 2.**

Correctly enrolled: **HB 39, HB 40, HB 49, HB 272, HB 513, HB 522.**

Transmitted to the Senate: **HB 156, HB 245, HB 368, HB 379, HB 479, SB 8, SB 48, SB 200, SB 321, SB 338.**

Signed by the Speaker at 9:30 a.m., March 27, 2015: **HB 102.**

Signed by the Chief Clerk of the House at 2:00 p.m., March 27, 2015: **HB 102.**

**REPORTS OF STANDING COMMITTEES**

**APPROPRIATIONS** (Ballance, Chair):

3/26/2015

**HB 6**, introduced bill, be amended as follows:

1. Title, page 1, line 7.

**Following:** "GRANTS;"

**Insert:** "PROVIDING A TRANSFER FROM THE GENERAL FUND;"

2. Title, page 1, line 8.

**Following:** "AN"

**Insert:** "IMMEDIATE"

3. Page 1, line 20.

**Strike:** line 20 in its entirety

4. Page 1, line 21.

**Following:** "biennium"

**Insert:** "; and

(f) \$2.7 million for a grant to the city of Laurel for the drinking water intake modification/replacement project"

5. Page 9, line 28.

**Following:** line 27

**Insert:** "NEW SECTION. **Section 6. Transfer of funds.** By June 1, 2015, the state treasurer shall transfer \$2.7 million from the general fund to the natural resources projects state special revenue account established in 15-38-302."

HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

**Insert:**        "NEW SECTION. **Section 7. Notification to tribal governments.** The secretary of state shall send a copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell Chippewa tribe."

**Renumber:** subsequent sections

6. Page 10, line 3.

**Strike:** "July 1, 2015"

**Insert:** "on passage and approval"

And, as amended, do pass. Report adopted.

**HB 219**, introduced bill, be amended as follows:

1. Page 1, line 14.

**Strike:** "facility"

**Insert:** "center"

2. Page 2, line 1.

**Strike:** "facility"

**Insert:** "center"

3. Page 2, line 13.

**Strike:** "facility"

**Insert:** "center"

4. Page 2, line 14.

**Following:** "person"

**Insert:** "18 years of age or older"

5. Page 2, line 17 through line 18.

**Strike:** ", " on line 17 through "corrections," on line 18

And, as amended, do pass. Report adopted.

**HB 305**, introduced bill, be amended as follows:

1. Page 1, line 11.

**Strike:** "staffing --"

2. Page 1, line 16 through line 18.

**Strike:** subsection (1) in its entirety

**Renumber:** subsequent subsections

HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

3. Page 1, line 26.

**Following:** "families;"

**Insert:** "and"

4. Page 2, line 9.

**Strike:** "(2)"

**Insert:** "(1)"

And, as amended, do pass. Report adopted.

**HB 356**, introduced bill, be amended as follows:

1. Page 2, line 12.

**Strike:** "\$10 million"

**Insert:** "\$1 million"

And, as amended, do pass. Report adopted.

**BUSINESS AND LABOR** (Berry, Chair):

3/26/2015

**HB 618**, introduced bill, be amended as follows:

1. Title, page 1, line 4.

**Following:** "STUDY OF"

**Insert:** "THE CREATION OF AN ALCOHOLIC BEVERAGE COUNCIL"

2. Title, page 1, line 4 through line 5.

**Strike:** "POSSIBLE REFORMS" on line 4 through "LAWS" on line 5

3. Page 1, line 9.

**Strike:** "significant"

4. Page 1, line 10.

**Strike:** "liquor"

**Insert:** "alcoholic beverage"

5. Page 1, line 11.

**Strike:** "interests,"

**Insert:** ", preserving equity, and promoting"

**Following:** "safety"

**Strike:** ", "

6. Page 1, line 14.

**Strike:** "control jurisdiction"

**Insert:** "Montana Alcoholic Beverage Code"

HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

7. Page 1, line 24.

**Following:** "Study to"

**Strike:** "reform state liquor licensing"

**Insert:** "create state alcoholic beverage council"

8. Page 1, line 25 through page 2, line 24.

**Following:** "shall" on line 25

**Strike:** "coordinate" on page 1, line 25 through page 2, line 24

**Insert:** "study and make recommendations on whether a state alcoholic beverage council is appropriate to help identify future issues and opportunities in the alcoholic beverage industry and to improve coordination among regulated sectors of the industry and state government. The recommendations must address but are not limited to the composition, goals, duties, responsibilities, and budget of an alcoholic beverage council."

**Renumber:** subsequent subsections

9. Page 2, line 25.

**Strike:** "shall"

**Insert:** "may, as determined by the committee,"

**Strike:** "subsections"

**Insert:** "subsection"

**Strike:** "and (2)"

10. Page 2, line 26.

**Following:** "legislature"

**Strike:** ", "

**Insert:** "and"

11. Page 2, line 27 through line 29.

**Following:** "branch"

**Strike:** ", "

**Insert:** "plus"

**Strike:** ", in addition" on line 27 through "to" on line 28

**Insert:** "and"

**Strike:** "and the owners" on line 28 through "representatives of" on line 29

**Insert:** ", "

12. Page 2, line 30.

**Following:** "and"

**Insert:** "tribal and"

13. Page 3, line 1 through line 3.

**Strike:** subsections (4) and (5) in their entirety

**Renumber:** subsequent subsection

HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

14. Page 3, line 12.

**Strike:** "\$100,000"

**Insert:** "\$2,000"

And, as amended, do pass. Report adopted.

**SB 258**, be amended as follows:

1. Page 1, line 26.

**Following:** "production,"

**Insert:** ": (i)"

**Following:** "manufacturing, or"

**Strike:** "a"

**Strike:** "project"

**Insert:** "activities"

2. Page 1, line 27.

**Following:** "property"

**Strike:** "of"

**Insert:** "owned or leased by"

**Following:** "trust"

**Insert:** "; or"

(ii) agricultural labor and services performed off the property owned or leased by the religious corporation, religious organization, or religious trust"

And, as amended, be concurred in. Report adopted.

**EDUCATION** (Laszloffy, Chair):

3/25/2015

**HB 596**, do pass. Report adopted.

**HB 610**, introduced bill, be amended as follows:

1. Page 1, line 25.

**Following:** "loans."

**Insert:** "The legislature intends that the board of investments establish the program in a manner and on a timeline that the board determines prudent."

2. Page 2, line 27.

**Strike:** "utilize"

**Insert:** "invest"

3. Page 3, line 2.

**Following:** "(7)"

**Insert:** "or any portion allocated by the board to a loan loss reserve account pursuant to subsection (8)"

HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

4. Page 3.

**Following:** line 6

**Insert:** "(8) The board may establish a loan loss reserve account using a portion of the interest received from refinanced loans for the purpose of replacing the principal of a loan that is not repaid and cannot be collected if the board determines the establishment of a loan loss reserve account is necessary to maintain the integrity of the coal tax trust fund. The board may allocate a portion of the interest to the loan loss reserve account until the loan loss reserve account balance is sufficient in the board's prudent judgment. Any funds allocated to the loan loss reserve account must not be considered a reduction in the overall investment performance of the program."

**Renumber:** subsequent subsections

5. Page 3, line 8.

**Following:** "terms"

**Insert:** "or until the board determines the program can be prudently established"

6. Page 6, line 12.

**Strike:** "utilize"

**Insert:** "invest"

And, as amended, do pass. Report adopted.

**HB 617**, introduced bill, be amended as follows:

1. Page 2, following line 28.

**Insert:** "(3) The board shall adopt a policy regarding the award of scholarships when the funds in the account established in [section 4] are insufficient to fully fund the STEM scholarship program. The policy must prioritize scholarships in the following order:

(a) Renewals for qualified applicants of scholarships that were previously awarded have the highest priority.

(b) If funds remain after renewal scholarships are awarded pursuant to subsection (3)(a), then the number of new scholarships must be reduced but the individual award amounts must meet the requirements of subsections (1) and (2)."

And, as amended, do pass. Report adopted.

**HUMAN SERVICES** (Wittich, Chair):

3/25/2015

**HB 614**, introduced bill, be amended as follows:

1. Page 1, line 21.

**Strike:** "a representative of"

**Insert:** "an attorney recommended by"



HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

**Following:** "27-6-104"

**Insert:** "who primarily represents plaintiffs in medical malpractice cases"

And, as amended, do pass. Report adopted.

**HB 620**, do pass. Report adopted.

**SJR 14**, be concurred in. Report adopted.

**JUDICIARY** (Bennett, Chair):

3/26/2015

**HB 593**, introduced bill, be amended as follows:

1. Title, page 1, line 4.

**Following:** "UNMANNED"

**Insert:** "MODEL"

2. Title, page 1, line 5 through line 12.

**Strike:** "REQUIRING" on line 5 through "DATES." on line 12

**Insert:** "ESTABLISHING REQUIREMENTS FOR THE OPERATION OF UNMANNED MODEL AERIAL VEHICLES; AUTHORIZING INCIDENT COMMANDERS TO TEMPORARILY PROHIBIT THE OPERATION OF UNMANNED MODEL AERIAL VEHICLES; PROHIBITING SURREPTITIOUS VISUAL OBSERVATION WITH AN UNMANNED MODEL AERIAL VEHICLE; PROHIBITING THE UNLAWFUL OPERATION OF AN UNMANNED MODEL AERIAL VEHICLE; PROVIDING PENALTIES; AUTHORIZING LOCAL GOVERNMENTS TO REGULATE UNMANNED MODEL AERIAL VEHICLES IN CERTAIN CASES; PROHIBITING THE INTERFERENCE WITH THE TAKING OF FISH AND GAME; AND AMENDING SECTION 87-6-215, MCA."

3. Page 1, line 14 through page 2, line 1.

**Strike:** "WHEREAS Article II," on page 1, line 14 through "protected." on page 2, line 1

**Insert:** "WHEREAS, pursuant to section 336 of the FAA Modernization and Reform Act of 2012, the administrator of the Federal Aviation Administration may not promulgate any rule or regulation regarding a model aircraft or an aircraft being developed as a model aircraft under certain circumstances; and

WHEREAS, the inability of the Federal Aviation Administration to regulate the use of certain model aircraft necessitates the regulation of these aircraft by the state of Montana to protect public safety and privacy."

4. Page 2, line 5 through page 8, line 15.

**Strike:** everything after the enacting clause

**Insert:** "NEW SECTION. Section 1. Short title -- definition. (1) [Sections 1 through 6] may be cited as the "Montana Unmanned Model Aerial Vehicle Act".

(2) As used in [sections 1 through 6], "unmanned model aerial vehicle" means an unmanned aircraft that is:

(a) capable of sustained flight in the atmosphere;

(b) flown within visual line of sight of the person operating the aircraft; and

HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

(c) flown for hobby or recreational purposes."

**Insert:**        "NEW SECTION. Section 2. Operation of unmanned model aerial vehicles -- duties. A person operating an unmanned model aerial vehicle shall:

(1) attach an easily identifiable label on the model aerial vehicle including the person's full legal name and current contact information;

(2) avoid interference with manned aircraft operations;

(3) remain at least 25 feet away from nonconsenting individuals and the nonconsenting individual's property;

(4) secure the express written permission of an airport before flying within 5 miles of the airport;

(5) avoid flying in adverse weather conditions, such as in high-wind conditions or when visibility is reduced;

(6) ensure the operating environment is conducive to safe operation of the unmanned model aerial vehicle;

(7) avoid operating an unmanned model aerial vehicle during the period from one-half hour after sunset to one-half hour before sunrise;

(8) comply with all applicable local laws and ordinances; and

(9) comply with any emergency proclamation temporarily prohibiting the operation of unmanned model aerial vehicles as provided in [section 3]."

**Insert:**        "NEW SECTION. Section 3. Emergency proclamation to ground unmanned model aerial vehicles. When there is a threat to life or property, including private property or publicly owned lands, an incident commander as defined in 10-3-1203 or the incident commander's designee may temporarily prohibit the operation of unmanned model aerial vehicles within 5 miles of the incident location or area."

**Insert:**        "NEW SECTION. Section 4. Local government regulations -- unmanned model aerial vehicles. (1) For the purpose of protecting public safety and welfare, a governing body of a county, consolidated local government, or municipality may adopt an ordinance or resolution regulating the operation of unmanned model aerial vehicles over property under the control of the county, consolidated local government, or municipality.

(2) Before a governing body adopts an ordinance or resolution regulating the operation of unmanned model aerial vehicles pursuant to subsection (1), the governing body shall hold at least one public hearing. The notice of the public hearing must be published as provided in 7-1-2121 if the governing body is a county commission and as provided in 7-1-4127 if the governing body is a city commission or a town council."

**Insert:**        "NEW SECTION. Section 5. Surreptitious visual observation with unmanned model aerial vehicle prohibited. (1) A person commits the offense of surreptitious visual observation or recordation in a place of residence with an unmanned model aerial vehicle if the person operates an unmanned model aerial vehicle and purposely or knowingly views or records a person in a place of residence in a surreptitious manner.

(2) A person convicted of an offense under subsection (1) shall be punished as provided in 45-5-223."

**Insert:**        "NEW SECTION. Section 6. Unlawful operation of unmanned model aerial vehicles -- forfeiture. (1) A person commits the offense of unlawful operation of an unmanned model aerial vehicle if the person purposely or knowingly operates an unmanned model aerial vehicle in violation of [section 2].

HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

(2) A person convicted of an offense under subsection (1) shall be fined not less than \$25 or more than \$300. Upon a second or subsequent conviction, a person shall be fined an amount not less than \$100 or more than \$5,000.

(3) In addition to the fine imposed for a violation of this section, the unmanned model aerial vehicle used in violation of [section 2] may be subject to criminal forfeiture upon the person's conviction subject to the procedures set forth in Title 44, chapter 12. Whenever property is forfeited and sold pursuant to this section, the net proceeds of the sale must be distributed to the holders of security interests who have presented proper proof of their claims, if any, up to the amount of their interests in the property."

**Insert: "Section 7.** Section 87-6-215, MCA, is amended to read:

**"87-6-215. Harassment.** (1) (a) A person may not:

(i) intentionally interfere with the lawful taking of a wild animal or fishing by another;  
(ii) with intent to prevent or hinder its lawful taking or its capture, disturb a wild animal or engage in an activity or place in its way any object or substance that will tend to disturb or otherwise affect the behavior of a wild animal; ~~or~~

(iii) disturb an individual engaged in the lawful taking of a wild animal or fishing with intent to prevent the taking of the animal or the capture of the fish; or

(iv) operate an unmanned model aerial vehicle to intentionally interfere with the lawful taking of a wild animal or fishing by another person or for any other purpose prohibited under this section.

(b) This subsection (1) does not:

(i) prohibit a landowner or lessee from taking reasonable measures to prevent imminent danger to domestic livestock and equipment; or

(ii) prohibit or curtail normal landowner operations or lawful uses of water.

(2) A person convicted of a violation of this section shall be fined not more than \$500 or be imprisoned for not more than 30 days, or both. A person convicted of a second or subsequent violation shall be fined not more than \$1,000 or be imprisoned for not more than 1 year, or both.

(3) A court of general jurisdiction may enjoin conduct in violation of this section upon petition by a person affected or who reasonably may be affected by that conduct and upon a showing that the conduct is threatened or that it has occurred on a particular premises in the past and that it is not unreasonable to expect that under similar circumstances it will be repeated.

(4) As used in this section:

(a) "fishing" means the lawful means of fishing as described in 87-6-501;

(b) "taking" means the pursuit, hunting, trapping, shooting, or killing of a wild animal on land upon which the affected person has the right or privilege to pursue, hunt, trap, shoot, or kill the wild animal; ~~and~~

(c) "unmanned model aerial vehicle" has the meaning provided in [section 1]; and

(d) "wild animal" means a game animal, migratory game bird, upland game bird, fur-bearing animal, predatory animal, or fish."

**Insert: "NEW SECTION. Section 8. Statutory construction -- legislative intent.** Nothing in [sections 1 through 6] may be construed to supersede any existing or future rule or regulation promulgated by the Federal Aviation Administration."

**Insert: "NEW SECTION. Section 9. Codification instruction.** [Sections 1 through 6] are intended to be codified as an integral part of Title 67, and the provisions of Title 67 apply to [sections 1 through 6]."

**Insert: "NEW SECTION. Section 10. Saving clause.** [This act] does not affect rights and

HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

duties that matured, penalties that were incurred, or proceedings that were begun before [the effective date of this act]."

**Insert:**        "NEW SECTION. Section 11. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

And, as amended, do pass. Report adopted.

**HB 615**, do pass. Report adopted.

**NATURAL RESOURCES** (White, Chair):

3/25/2015

**HB 496**, introduced bill, be amended as follows:

1. Title, page 1, line 4.

**Strike:** "TRANSFER OF"

**Strike:** "FEASABILITY"

2. Title, page 1, line 5.

**Strike:** "FEASABILITY" through "OR"

3. Page 1, line 13.

**Strike:** "Transfer of public"

**Insert:** "Public"

**Strike:** "feasibility"

4. Page 1, line 14.

**Strike:** "transfer of"

**Strike:** "feasibility"

5. Page 1, line 23.

**Strike:** "committee"

**Insert:** "task force"

6. Page 1, line 26.

**Strike:** "assumption" through "or"

**Strike:** "responsibility"

7. Page 1, line 30.

**Strike:** "but under state control"

8. Page 2, line 1 through line 2.

**Strike:** "if federal" on line 1 through "control" on line 2

HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

9. Page 2, line 7.

**Strike:** "and projected" through "control"

10. Page 2, line 9.

**Strike:** ", replicated, or replaced"

11. Page 2, line 13 through line 14.

**Strike:** "if it is" on line 13 through "control" on line 14

12. Page 2, line 15 through line 16.

**Following:** "options for"

**Strike:** remainder of line 15 through "priorities" on line 16

**Insert:** "pilot projects"

13. Page 2, line 18.

**Strike:** "committee"

**Insert:** "task force"

14. Page 2, line 26.

**Strike:** "transfer of"

15. Page 2, line 27.

**Strike:** "feasibility"

And, as amended, do pass. Report adopted.

**HB 630**, do pass. Report adopted.

**SB 34**, be concurred in. Report adopted.

**SJR 2**, be amended as follows:

1. Title, page 1, line 7.

**Strike:** "DREDGE AND FILL"

**Insert:** "FEDERAL SECTION 404 "

2. Page 1, line 12.

**Strike:** "dredge and fill"

**Insert:** "Federal Section 404 "

3. Page 1, line 24 through line 25.

**Strike:** "dredge" on line 24 through "fill" on line 25

**Insert:** "Federal Section 404 "

4. Page 1, line 29.

**Strike:** "dredge and fill"

**Insert:** "Federal Section 404 "

HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

5. Page 1, line 30.

**Strike:** "dredge and fill"

**Insert:** "Federal Section 404 "

6. Page 2, line 2.

**Strike:** "dredge and fill"

**Insert:** "Federal Section 404 "

And, as amended, be concurred in. Report adopted.

**STATE ADMINISTRATION** (Essmann, Chair):  
**HB 607**, introduced bill, be amended as follows:

3/26/2015

1. Title, page 1, line 6 through line 10.

**Strike:** "PROVIDING" on line 6 through "RULES;" on line 10

**Insert:** "AND"

2. Title, page 1, line 11 through line 22.

**Strike:** "; REQUIRING" on line 11 through "MCA" on line 22

3. Page 1, line 26 through page 11, line 22.

**Strike:** everything after the enacting clause

**Insert:** "NEW SECTION. Section 1. Retaliation unlawful. (1) It is unlawful for a state agency, state officer, public officer, or public employee to retaliate against an individual who files a complaint pursuant to 2-2-136 or to condone or threaten retaliation.

(2) For purposes of this section, "retaliate" means to take any of the following actions against an individual because the individual filed a complaint pursuant to 2-2-136:

- (a) terminate employment;
- (b) demote;
- (c) deny overtime, benefits, or promotion;
- (d) discipline;
- (e) decline to hire or rehire;
- (f) threaten or intimidate;
- (g) reassign to a position that hurts future career prospects; or
- (h) reduce pay, work hours, or benefits."

**Insert:** "NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 2, chapter 2, part 1, and the provisions of Title 2, chapter 2, part 1, apply to [section 1]."

And, as amended, do pass. Report adopted.

HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

**TRANSPORTATION** (Lavin, Chair):  
**HB 604**, introduced bill, be amended as follows:

3/25/2015

1. Title, line 10 through 11.

**Strike:** "RESTRICTING" on line 10 through "CARDS;" on line 11

2. Page 1, line 17.

**Following:** "establish"

**Insert:** ", to the extent funds are available pursuant to [section 2],"

3. Page 1, line 19.

**Following:** "shall"

**Insert:** ", to the extent funds are available pursuant to [section 2]"

4. Page 1, line 20.

**Following:** "each"

**Insert:** "state-maintained"

5. Page 2, line 6.

**Strike:** "users" through "state"

**Insert:** "pedestrians, bicyclists, and other potential users of shared-use trails"

6. Page 2, line 14.

**Following:** "(a)"

**Insert:** "in fiscal year 2016 only,"

**Strike:** "\$90,000" through "2016"

**Insert:** "\$50,000"

7. Page 2, line 15.

**Strike:** "department's"

**Following:** "software"

**Insert:** "and equipment of the department and the department's vendor"

**Following:** ";

**Insert:** "(b) in each fiscal year, an amount not to exceed \$90,000 must be allocated to the department of justice for the additional contract costs for the vehicle renewal card vendor to cover forms and mailing that result from the provisions of 61-3-321(21);"

**Renumber:** subsequent subsection

8. Page 2, line 19.

**Strike:** "transportation commission"

**Insert:** "department of transportation"

9. Page 2, line 24.

**Strike:** "(1)(b)(ii)"

**Insert:** "(1)(c)(ii)"

HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

10. Page 2, line 25.

**Strike:** "At least"

**Insert:** "The department may use but is not required to use up to"

11. Page 2, line 26.

**Strike:** "(1)(b)(ii) must be used"

**Insert:** "(1)(c)(ii)"

12. Page 4, line 25.

**Strike:** "physically"

**Following:** "space"

**Strike:** "or"

**Insert:** ", pavement markings, or a"

**Following:** "barrier"

**Strike:** ", either"

13. Page 4, line 26.

**Strike:** "or" through "right-of-way,"

**Following:** "and"

**Insert:** "that is"

14. Page 4, line 27.

**Following:** "users."

**Insert:** "A sidewalk, as defined in 61-8-102, is not a shared-use trail."

15. Page 5, line 1.

**Following:** "commission"

**Insert:** "or the department"

16. Page 5, line 2.

**Following:** "commission"

**Insert:** "or the department"

17. Page 5, line 11.

**Strike:** "commission"

**Insert:** "department"

18. Page 6, line 14.

**Following:** "The"

**Insert:** "allocation of available funds for the"

19. Page 6, line 21.

**Following:** "each"

**Insert:** "state-maintained"



HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

20. Page 7, line 9.

**Strike:** "maintenance" through "and"

21. Page 7, line 11.

**Strike:** "maintenance" through "for the"

22. Page 7, line 16.

**Following:** "each"

**Insert:** "state-maintained"

23. Page 12, line 23 through line 26.

**Strike:** section 12 in its entirety

**Renumber:** subsequent sections

And, as amended, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**House bills** concurred in as amended and returned to the House for concurrence in Senate amendments:

3/24/2015

**HB 24**, introduced by Schreiner

**HB 180**, introduced by B. Smith

**HB 204**, introduced by Hertz

**HB 244**, introduced by Essmann

**House bills** concurred in and returned to the House:

3/24/2015

**HB 33**, introduced by Ehli

**HB 34**, introduced by Ehli

**HB 35**, introduced by Ehli

**HB 47**, introduced by Pease-Lopez

**HB 252**, introduced by McCarthy

**House amendments to Senate bills** concurred in:

3/24/2015

**SB 42**, introduced by Malek

**SB 109**, introduced by Swandal

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 641**, introduced by R. Hollandsworth, B. Hamlett, referred to Appropriations.

**HB 642**, introduced by E. McClafferty, referred to Education.

HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

The following House joint resolution was introduced, read first time, and referred to committee:

**HJR 25**, introduced by D. Zolnikov, Z. Brown, V. Court, J. Essmann, C. Fiscus, S. Hess, E. Hill, D. Kary, K. Kelker, K. McCarthy, G. Meyers, C. Pease-Lopez, V. Ricci, T. Richmond, K. Wagoner, R. Webb, referred to Human Services.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Randall in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 599** - Majority Leader Regier moved consideration of **HB 599** be passed for the day. Motion carried.

**HB 9** - Representative Cuffe moved **HB 9** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berry, Brodehl, Z. Brown, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Williams, Wilson, Wittich, Woods.

Total 73

Nays: J. Bennett, B. Brown, Burnett, Clark, Doane, Fitzpatrick, Flynn, Glimm, Harris, Hess, Manzella, Monforton, Mortensen, Noland, Pinocci, Randall, Redfield, Regier, Schwaderer, Shaw, Staffanson, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.

Total 26

Excused: None.

Total 0

Absent or not voting: Berglee.

Total 1

HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

**HB 114** - Representative Miller moved **HB 114** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Zolnikov, Mr. Speaker.

Total 91

Nays: Hayman, Lieser, Lynch, Noonan, Olsen, Peppers, Pierson, Swanson, Woods.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 202** - Representative B. Bennett moved **HB 202** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Z. Brown, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 70

Nays: J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Doane, Ehli, Glimm, Harris, Holmlund, Lang, Miller, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 30

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

**HB 407** - Representative Court moved **HB 407** do pass. Motion carried as follows:

Yeas: B. Bennett, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Garner, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Woods.

Total 65

Nays: Ballance, J. Bennett, Berglee, Burnett, Doane, Ehli, Fiscus, Flynn, Glimm, Harris, Hess, Holmlund, Jones, Lang, Lavin, Manzella, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, Wittich, Zolnikov, Mr. Speaker.

Total 34

Excused: None.

Total 0

Absent or not voting: Greef.

Total 1

**HB 464** - Representative Z. Brown moved **HB 464** do pass. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 79

Nays: Ballance, Brodehl, B. Brown, Burnett, Glimm, Hess, Manzella, Monforton, Noland, Olszewski, Osmundson, Randall, Redfield, Regier, Ricci, Schwaderer, Tschida, Wagoner, Welborn, White, Wittich.

Total 21

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

**HB 487** - Representative D. Jones moved **HB 487** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Williams, Wilson, Woods, Mr. Speaker.  
Total 91

Nays: B. Brown, Mandeville, Monforton, Noland, Ricci, Welborn, White, Wittich, Zolnikov.  
Total 9

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 574** - Representative Essmann moved **HB 574** do pass. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.  
Total 76

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Doane, Glimm, Hertz, Hess, Jones, Lamm, Laszloffy, Manzella, Monforton, Noland, Olszewski, Redfield, Regier, Wagoner, White, Wittich, Zolnikov.  
Total 24

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

**HB 592** - Representative Jacobson moved **HB 592** do pass. Motion carried as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Woods.  
Total 50

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Staffanson, Tschida, Wagoner, Wittich, Zolnikov, Mr. Speaker.  
Total 48

Excused: None.  
Total 0

Absent or not voting: Fiscus, Miller.  
Total 2

Majority Leader Regier announced the Republicans would caucus.  
Minority Leader Hunter announced the Democrats would caucus.

**SB 289** - Representative Garner moved **SB 289** do pass.

Representative Wittich rose on a **Point of Personal Privilege**. Representative Wittich wanted to reserve his objection to the second reading of **SB 289** based on JR 40-70, (bills with the same purpose). He stated that many bills were tabled, dismissed or missed transmittal which concerned the same subject matter that was in **SB 289**. He wanted to assure that the objection if not made, it is not waived and he made the objection before the proceedings began.

**SB 289** - Representative Cook moved **SB 289**, second reading copy, be amended as follows:

1. Title, page 1, line 11 through line 12.

**Strike:** "PROVIDING AN EXEMPTION" on line 11 through "CANDIDATE;" on line 12

2. Page 5, line 30.

**Following:** "committee"

**Insert:** "other than a candidate or political committee"

3. Page 7, line 8.

**Following:** "means a"

HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

**Insert:** "paid"

**Following:** the second "communication"

**Insert:** "that is publicly distributed by radio, television, cable, satellite, internet website, newspaper, periodical, billboard, mail, or any other distribution of printed materials, that is"

4. Page 7, line 9.

**Following:** "election"

**Insert:** ", "

5. Page 7, line 17.

**Following:** "general circulation"

**Insert:** "unless the facilities are owned or controlled by a candidate or political committee"

6. Page 7, line 19.

**Strike:** "or"

**Insert:** "(iii) a commercial communication that depicts a candidate's name, image, likeness, or voice only in the candidate's capacity as owner, operator, or employee of a business that existed prior to the candidacy;

(iv) a communication that constitutes a candidate debate or forum or that solely promotes a candidate debate or forum and is made by or on behalf of the person sponsoring the debate or forum; or"

**Renumber:** subsequent subsections

7. Page 10, line 4.

**Strike:** "\$100"

**Insert:** "\$250"

8. Page 16, line 3.

**Strike:** "(4)"

**Insert:** "(3)"

9. Page 16, line 23.

**Strike:** "except as provided in subsection (3),"

**Strike:** "(4)<sub>1</sub>"

**Insert:** "(3)"

10. Page 17, line 1 through line 3.

**Strike:** subsection (3) in its entirety

**Renumber:** subsequent subsections

11. Page 17, line 11.

**Strike:** "Except as provided in subsection (3), a"

**Insert:** "A"

HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

12. Page 25, line 15.

**Insert:** "(4) An incidental committee that does not receive contributions for a specified candidate, ballot issue, or petition for nomination and that does not solicit contributions for incidental committee election activity, including in-kind expenditures, independent expenditures, election communications, or electioneering communications, is required to report only its expenditures."

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Funk, Garner, Greef, Hayman, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Laszloffy, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 61

Nays: J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Fiscus, Flynn, Glimm, Hagstrom, Harris, Hess, Holmlund, Jones, Lamm, Lang, Lavin, Mandeville, Manzella, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 39

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 289** - Representative Hertz moved **SB 289**, second reading copy, be amended as follows:

1. Page 7, line 10.

**Following:** "issue,"

**Insert:** "the purpose of which a reasonable person would conclude is intended to affect the outcome of an election,"

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 47



HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Monforton, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 53

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 289** - Representative Hertz moved **SB 289**, second reading copy, be amended as follows:

1. Title, page 1, line 14.

**Following:** "EXPENDITURES;"

**Insert:** "REQUIRING DISCLOSURE OF CERTAIN INFORMATION ABOUT ALL  
CONTRIBUTORS TO CANDIDATE OR POLITICAL COMMITTEES;"

2. Page 22, line 12.

**Strike:** "aggregate contributions"

**Insert:** "a contribution"

**Strike:** "loans"

**Insert:** "a loan"

**Strike:** "of \$35 or more"

3. Page 22, line 26 through line 27.

**Strike:** subsection (h) in its entirety

**Renumber:** subsequent subsections

4. Page 22, line 29.

**Strike:** "(1)(h)"

**Insert:** "(1)(g)"

5. Page 24, line 8.

**Strike:** "aggregate contributions"

**Insert:** "a contribution"

6. Page 24, line 9.

**Strike:** "of \$35 or more"

7. Page 24, line 17.

**Strike:** "that total" through "person"

HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 47

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Monforton, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 53

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 289** - Representative Fitzpatrick moved **SB 289**, second reading copy, be amended as follows:

1. Page 6, line 2.

**Following:** "mean:"

**Insert:** "."

2. Page 6, line 3.

**Following:** "(i)"

**Insert:** "(i)"

3. Page 6, line 10.

**Following:** "candidate"

**Insert:** "; or

(ii) funds received in the normal course of business, including but not limited to funds received for the purchase or ownership of company stock, funds received for the purchase of an ownership interest in a business organization, or funds received from the purchase of goods and services"

HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 47

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, Garner, Hayman, Hess, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 53

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 289** - Representative Hertz moved **SB 289**, second reading copy, be amended as follows:

1. Page 7, line 25.  
**Following:** "issue;"  
**Strike:** "or"

2. Page 7, line 27.  
**Following:** "communications"  
**Insert:** "; or

(iii) made by a person to register voters if the voter registration activity is performed in conjunction with a candidate or a political committee or if registration information is provided to a candidate or committee"

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 48

HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 52

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 289** - Representative Hertz moved **SB 289**, second reading copy, be amended as follows:

1. Title, page 1, line 12.

**Following:** "CANDIDATE;"

**Insert:** "ELIMINATING AGGREGATE LIMITATIONS ON CONTRIBUTIONS TO LEGISLATIVE CANDIDATES FROM POLITICAL COMMITTEES;"

2. Title, page 1, line 21.

**Strike:** "SECTION"

**Insert:** "SECTIONS 13-37-218 AND"

3. Page 26, following line 21.

**Insert:** "13-37-218. Limitations on receipts from political committees."

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 50

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 50

HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 289** - Representative Essmann moved **SB 289**, second reading copy, be amended as follows:

1. Title, page 2, line 10.

**Following:** "EXPENDITURE;"

**Insert:** "CLARIFYING THE PROPER VENUE FOR PROSECUTION OF CAMPAIGN PRACTICES OR ELECTION VIOLATIONS; REQUIRING THE COMMISSIONER TO PROVIDE CERTAIN INFORMATION TO A COUNTY ATTORNEY;"

2. Title, page 1, line 20.

**Following:** "13-35-402,"

**Insert:** "13-37-113,"

**Following:** "13-37-114,"

**Insert:** "13-37-122, 13-37-124,"

3. Page 15, line 8.

**Insert:** "**Section 6.** Section 13-37-113, MCA, is amended to read:

**"13-37-113. Hiring of attorneys -- prosecutions.** The commissioner may hire or retain attorneys who are properly licensed to practice before the supreme court of the state of Montana to prosecute violations of chapter 35 of this title or this chapter. Any attorney retained or hired shall exercise the powers of a special attorney general, and the attorney may prosecute, subject to the control and supervision of the commissioner and the provisions of 13-35-240, 13-37-124, and 13-37-125, any criminal or civil action arising out of a violation of any provision of chapter 35 of this title or this chapter. All prosecutions must be brought in the state district court ~~for the county in which a violation has occurred or in the district court for Lewis and Clark County as provided in 13-37-124.~~ The authority to prosecute as prescribed by this section includes the authority to:

(1) institute proceedings for the arrest of persons charged with or reasonably suspected of criminal violations of chapter 35 of this title or this chapter;

(2) attend and give advice to a grand jury when cases involving criminal violations of chapter 35 of this title or this chapter are presented;

(3) draw and file indictments, informations, and criminal complaints;

(4) prosecute all actions for the recovery of debts, fines, penalties, or forfeitures accruing to the state or county from persons convicted of violating chapter 35 of this title or this chapter; and

(5) do any other act necessary to successfully prosecute a violation of any provision of chapter 35 of this title or this chapter.""

**Renumber:** subsequent sections

HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

4. Page 15, line 16.

**Insert: "Section 8.** Section 13-37-122, MCA, is amended to read:

**"13-37-122. Judicial review of orders of noncompliance.** A candidate or political treasurer who is the subject of an order of noncompliance may seek judicial review in the district court of the county in which the candidate resides or the county in which the political committee has its headquarters. All petitions for judicial review filed pursuant to this section must be expeditiously reviewed by the appropriate district court as provided in 13-37-124."

**Insert: "Section 9.** Section 13-37-124, MCA, is amended to read:

**"13-37-124. Consultation and cooperation with county attorney.** (1) Except as provided in 13-35-240, whenever the commissioner determines that there appears to be sufficient evidence to justify a civil or criminal prosecution under chapter 35 of this title or this chapter, the commissioner shall notify the county attorney of ~~the county in which the alleged violation occurred and:~~

(a) the county in which the candidate resides or the headquarters of the political committee is located. If the alleged violation involves both a candidate and a political committee, the commissioner shall notify the county attorney of the county in which the candidate resides.

(b) if the alleged violation does not involve a candidate or a political committee, the county in which the person alleged to have committed the violation resides.

(2) The address provided to the commissioner on forms submitted pursuant to 13-37-201 must be used to determine the residence of the candidate or the location of the headquarters of the political committee.

(3) The commissioner shall arrange to transmit to the county attorney all information relevant to the alleged violation, including the initiating complaint, the investigative file, the decision, and all exhibits related to the sufficiency finding. If the county attorney fails to initiate the appropriate civil or criminal action within 30 days after receiving notification of the alleged violation, the commissioner may then initiate the appropriate legal action.

(2)(4) A county attorney may, at any time prior to the expiration of the 30-day time period specified in subsection (4) (3), waive the right to prosecute, and the waiver authorizes the commissioner to initiate the appropriate civil or criminal action.

(3)(5) The provisions of subsection subsections (1) through (3) do not apply to a situation in which the alleged violation has been committed by the a county attorney of a county. In this instance, the commissioner is authorized to directly prosecute any alleged violation of chapter 35 of this title or this chapter.

(4)(6) (a) If a prosecution is undertaken by the commissioner, it must be brought in the district court of:

(i) the county in which the candidate resides or the headquarters of the political committee is located. If the prosecution involves both a candidate and a political committee, the prosecution must be brought in the district court for the county in which the candidate resides.

(ii) if the alleged violation does not involve a candidate or a political committee, the county in which the person alleged to have committed the violation resides.

(b) All court costs associated with the prosecution must be paid by the state of Montana, and all fines and forfeitures imposed pursuant to a prosecution by the commissioner, except those paid to or imposed by a justice's court, must be deposited in the state general fund."

HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

**Renumber:** subsequent sections

5. Page 20, line 21.

**Strike:** "14(1)"

**Insert:** "17(1)"

6. Page 26, line 24.

**Strike:** "14 and 16"

**Insert:** "17 and 19"

7. Page 26, line 26.

**Strike:** "14 and 16"

**Insert:** "17 and 19"

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 50

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 50

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 289** - Representative Hertz moved **SB 289**, second reading copy, be amended as follows:

1. Page 27, line 1 through line 3.

**Strike:** section 21 in its entirety

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones,

HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 48

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 52

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 289** - Representative Wagoner moved **SB 289**, second reading copy, be amended as follows:

1. Title, page 1, line 18.

**Following:** "STATUS;"

**Insert:** "ALLOWING ATTORNEY FEES AND COSTS TO A PARTY PREVAILING AGAINST THE STATE, COMMISSIONER OF POLITICAL PRACTICES, OR A COUNTY ATTORNEY IN ACTIONS BROUGHT IN DISTRICT COURT UNDER AN ACTION IN TITLE 13, CHAPTER 35 OR 37;"

2. Page 26, line 19.

**Insert:**        "NEW SECTION. Section 18. Costs and attorney fees.        (1) In an action brought in district court under chapter 37 or this chapter by or against the state, the commissioner of political practices, or a county attorney, the opposing party, whether plaintiff or defendant, is entitled to reasonable attorney fees and costs if the opposing party prevails against the state, commissioner, or county attorney.

          (2) For the purposes of this section, a party prevails if:

          (a) in an action in which the party initiates an enforcement of rights or remedies, it recovers on any of its claims; or

          (b) in an action in which the party defends against an enforcement action, it successfully defends against a majority of the claims made against it."

**Renumber:** subsequent sections

3. Page 26, line 24.

**Following:** "instruction."

**Insert:** "(1)"



HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

4. Page 26, following line 26.

**Insert:** "(2) [Section 18] is intended to be codified as an integral part of Title 13, chapter 35, part 1, and the provisions of Title 13, chapter 35, part 1, apply to [section 18]."

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 50

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 50

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 289** - Representative G. Bennett moved **SB 289**, second reading copy, be amended as follows:

1. Page 18, line 11.

**Following:** "is subject to"

**Insert:** "the same"

**Following:** "as"

**Strike:** "provided"

**Insert:** "incidental committees are subject to"

2. Page 24, line 4.

**Strike:** the first "or"

3. Page 24, line 4 through line 6.

**Following:** "nomination" on line 4

**Strike:** "or that" through "electioneering communications" on line 6

**Insert:** ", in-kind expenditure, independent expenditure, election communication, or electioneering communication"

HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 49

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 51

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 289** - Representative Hertz moved **SB 289**, second reading copy, be amended as follows:

1. Title, page 1, line 21.

**Following:** "MCA;"

**Strike:** "AND"

2. Title, page 1, line 22.

**Following:** "MCA"

**Insert:** "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 27.

**Following:** line 4

**Insert:** "NEW SECTION. **Section 22. Effective date.** [This act] is effective on passage and approval."

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 49

HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 51

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 289** - Representative Hertz moved **SB 289**, second reading copy, be amended as follows:

1. Title, page 1, line 14 through line 16.

**Strike:** "ALLOWING THE COMMISSIONER OF POLITICAL PRACTICES TO REQUIRE CERTAIN REPORTS TO BE FILED ELECTRONICALLY;"

2. Page 21, line 1.

**Strike:** subsection (7) in its entirety

**Renumber:** subsequent subsections

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 50

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 50

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

**SB 289** - Representative Hertz moved **SB 289**, second reading copy, be amended as follows:

1. Page 6, line 2.

**Following:** "mean:"

**Insert:** "."

2. Page 6, line 3.

**Following:** "(i)"

**Insert:** "(i)"

3. Page 6, line 10.

**Following:** "candidate"

**Insert:** "; or

(ii) costs related to hosting a fundraising event, including use of office space for the event if the space is normally provided to the community free of charge, invitations to the event, and food and beverage in connection with the event if the host provides the food and beverage free of charge"

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 48

Nays: B. Bennett, Berry, Z. Brown, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 49

Excused: None.

Total 0

Absent or not voting: Clark, Fitzpatrick, Miller.

Total 3

**SB 289** - Representative Hertz moved **SB 289**, second reading copy, be amended as follows:

1. Title, page 1, line 18.

**Following:** "STATUS;"

**Insert:** "PROVIDING THAT A CANDIDATE OR A POLITICAL PARTY COMMITTEE MAY NOT

HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

CALL AN INDIVIDUAL ON A DO-NOT-CALL LIST OR REGISTRY;"

2. Page 25, line 28.

**Insert:** "NEW SECTION. Section 17. Do-not-call registries. A candidate or a political party committee may not call an individual listed on or registered with an applicable state or federal do-not-call list or registry."

**Renumber:** subsequent sections

3. Page 26, line 24.

**Following:** "instruction."

**Insert:** "(1)"

4. Page 26, following line 26.

**Insert:** "(2) [Section 17] is intended to be codified as an integral part of Title 13, chapter 35, part 2, and the provisions of Title 13, chapter 35, part 2, apply to [section 17]."

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 49

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 51

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 289** - Representative Hertz moved **SB 289**, second reading copy, be amended as follows:

1. Title, page 1, line 14.

**Following:** "EXPENDITURES;"

**Insert:** "REVISING THE THRESHOLD TO DISCLOSE CERTAIN INFORMATION ABOUT CONTRIBUTORS;"

HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

2. Page 22, line 12.

**Strike:** "\$35"

**Insert:** "\$1"

3. Page 22, line 26.

**Strike:** "\$35"

**Insert:** "\$1"

4. Page 24, line 9.

**Strike:** "\$35"

**Insert:** "\$1"

5. Page 24, line 17.

**Strike:** "\$35"

**Insert:** "\$1"

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 49

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 51

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 289** - Representative Schwaderer moved **SB 289**, second reading copy, be amended as follows:

1. Title, page 1, line 13.

**Following:** "MATERIALS;"

**Insert:** "REVISING THE FAIR NOTICE PERIOD BEFORE AN ELECTION;"

HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

2. Page 14, line 19.

**Strike:** "10"

**Insert:** "20"

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 49

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 51

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 289** - Representative Garner moved **SB 289**, as amended, be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 51

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 49

Excused: None.

Total 0

HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Randall moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, Berry, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Funk, Garner, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 61

Nays: J. Bennett, Berglee, Brodehl, B. Brown, Cuffe, Doane, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Olszewski, Pinocci, Redfield, Regier, Ricci, Schwaderer, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 39

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 433** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 53



HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

Nays: B. Bennett, Z. Brown, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 47

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 488** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.  
Total 93

Nays: B. Bennett, Miller, Peppers, Schwaderer, Smith, Zolnikov.  
Total 6

Excused: None.  
Total 0

Absent or not voting: Tschida.  
Total 1

**HB 506** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson,

HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 99

Nays: Harris.  
Total 1

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 513** passed as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Monforton, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Regier, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Mr. Speaker.  
Total 71

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Fiscus, Flynn, Glimm, Harris, Hess, Jones, Lamm, Laszloffy, Manzella, Meyers, Miller, Mortensen, Noland, Pinocci, Redfield, Ricci, Schwaderer, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov.  
Total 29

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 590** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price,

HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Berry, Burnett, Monforton.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 138** concurred in as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: Ballance, Fiscus, Manzella, Miller, Ricci, Wagoner, Wittich.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 140** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland,

HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Wittich.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 144** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Fiscus, Miller, Schwaderer, Wagoner, Wittich.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 277** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, McKamey, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw,

HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 42

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 327** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Custer, Doane, Dudik, Dunwell, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Williams, Wittich, Zolnikov, Mr. Speaker.

Total 88

Nays: Curdy, Eck, Hayman, Hunter, MacDonald, Olsen, Pease-Lopez, Peppers, Smith, Tropila, Wilson, Woods.

Total 12

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**MOTIONS**

Majority Leader Regier moved **HB 574** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **HB 592** be moved from the Committee of the Whole to the Appropriations Committee.

HOUSE JOURNAL  
SIXTY-THIRD LEGISLATIVE DAY - MARCH 26, 2015

Representative Essmann moved to reconsider action on **HB 389** and that **HB 389** be placed on third reading, March 27, 2015.

Motion **passed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McCarthy, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 60

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hess, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McClafferty, McConnell, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 40

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Friday, March 27, 2015.  
Motion carried.

House adjourned at 5:10 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
SIXTY-FOURTH LEGISLATIVE DAY**

Helena, Montana  
March 27, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Berry. Pledge of Allegiance to the Flag. Roll Call. All members present. Quorum present.

**BILLS** (Welborn, Chair):

3/27/2015

Correctly printed: **HB 235, HB 423, HB 576, HB 629, SB 183, SB 210, SB 234, SB 347, SB 365, SB 379.**

Correctly engrossed: **HB 4, HB 10, HB 512, HB 559, HB 627, HB 628, SB 99, SB 245, SB 307.**

Correctly enrolled: **HB 111, HB 537, HB 168, HB 315.**

Transmitted to the Senate: **HB 433, HB 488, HB 506, HB 590, SB 138, SB 140, SB 144, SB 277, SB 327.**

Signed by the Speaker at 10:15 a.m., March 27, 2015: **HB 33, HB 34, HB 35, HB 36, HB 47, HB 107, HB 208, HB 241, HB 285, HB 375.**

Signed by the Chief Clerk of the House at 2:00 p.m., March 27, 2015: **HB 33, HB 34, HB 35, HB 36, HB 47, HB 107, HB 208, HB 241, HB 285, HB 375.**

Signed by the Speaker at 9:00 a.m., March 28, 2015: **HB 39, HB 40, HB 252, HB 272, HB 513, HB 522.**

Signed by the Chief Clerk of the House at 10:42 a.m., March 28, 2015: **HB 39, HB 40, HB 252, HB 272, HB 513, HB 522.**

Signed by the President at 2:00 p.m., March 28, 2015: **HB 33, HB 34, HB 35, HB 36, HB 44, HB 47, HB 69, HB 85, HB 100, HB 102, HB 107, HB 117, HB 145, HB 164, HB 193, HB 198, HB 207, HB 208, HB 240, HB 241, HB 270, HB 285, HB 289, HB 306, HB 319, HB 348, HB 353, HB 367, HB 372, HB 375, HB 392, HB 422, HB 429, HB 461, HB 481, HB 507, HJR 11.**

**COMMUNICATIONS AND PETITIONS**

Mr. Speaker: We, your committee on Legislative Administration, having examined the daily journals for the fifty-first, fifty-second, fifty-third, fifty-fourth, and fifty-fifth legislative days, find the same to be correct.

Representative Welborn, Chair

**REPORTS OF STANDING COMMITTEES**

**AGRICULTURE** (Redfield, Chair):

3/26/2015

**HB 629**, do pass. Report adopted.

**SB 183**, be concurred in. Report adopted.

**SB 210**, be concurred in. Report adopted.

HOUSE JOURNAL  
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 27, 2015

**APPROPRIATIONS** (Ballance, Chair):

3/27/2015

**HB 4**, introduced bill, be amended as follows:

1. Page 1, line 20.

**Following:** line 19

**Insert:** "Judiciary

Supreme Court Operations

State court improvement data program      FY2015      \$5,582

Federal

State court improvement training program      FY2015

\$5,582      Federal

All remaining fiscal year 2015 federal budget amendment authority for the state court improvement data program and the state court improvement training program is authorized to continue into federal fiscal year 2016.

District Court Operations

Juvenile Probation Workload Study      FY2015      \$50,000      Federal

All remaining fiscal year 2015 federal budget amendment authority for the Montana statewide drug court application and the juvenile probation workload study is authorized to continue into state fiscal year 2016.

All remaining fiscal year 2015 federal budget amendment authority for the Yellowstone County family drug treatment court is authorized to continue into federal fiscal year 2016.

All remaining fiscal year 2015 federal budget amendment authority for the veteran treatment court is authorized to continue into federal fiscal year 2017."

2. Page 2, line 4.

**Following:** line 3

**Insert:** "Office of Public Instruction

State Level Activities

All remaining fiscal year 2015 federal budget amendment authority to the preschool development grants is authorized to continue into state fiscal year 2016.

Local Education Activities

All remaining fiscal year 2015 federal budget amendment authority to the preschool development grants is authorized to continue into state fiscal year 2016.

Crime Control Division

Justice System Support Service

All remaining fiscal year 2015 federal budget amendment authority for the Montana crime victims' legal assistance network and for linking systems of care for children and youth state demonstration project is authorized to continue into state fiscal year 2016.

All remaining fiscal year 2015 federal budget amendment authority for building state technology capacity is authorized to continue into federal fiscal year 2017."

3. Page 2, line 16.

**Following:** line 15

**Insert:** "Fiscal Year 2015 Montana Criminal Interdiction Program      FY2015      \$8,463Federal"



HOUSE JOURNAL  
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 27, 2015

4. Page 2, line 16.

**Following:** "authority for the"

**Insert:** "fiscal year 2014"

5. Page 2, line 18.

**Following:** line 17

**Insert:** "All remaining fiscal year 2015 federal budget amendment authority for the fiscal year 2015 Montana criminal interdiction program is authorized to continue into state fiscal year 2017. Division of Criminal Investigation

Alcohol, Tobacco, Firearms and Explosives State and Local Overtime      F Y 2 0 1 5  
\$16,000      Federal

State and Local Overtime Reimbursement      FY2015      \$34,749

Federal"

6. Page 2, line 22.

**Following:** line 21

**Insert:** "Admissions Fee Revenue      FY2015      \$14,500      Proprietary"

7. Page 2, line 29.

**Following:** line 28

**Insert:** "All remaining fiscal year 2016 federal budget amendment authority for identifying Montana's African-American heritage places is authorized to continue into federal fiscal year 2016."

8. Page 3, line 19.

**Following:** "activities,"

**Insert:** "the native fish conservation broodstock development,"

9. Page 3, line 20.

**Following:** line 19

**Insert:** "Enforcement Division

Turn In Poachers Program Participation      FY2015      \$9,000  
Federal

All of the remaining fiscal year 2015 federal budget amendment authority for the turn in poachers program participation is authorized to continue into federal fiscal year 2017."

10. Page 3, line 22.

**Following:** "Valley,"

**Insert:** "bear management in the Cabinet-Yaak region, the Kootenai River resident fish assessment project, the North American bat monitoring project,"

11. Page 3, line 25.

**Following:** "specialist"

**Insert:** "and public access for wildlife-dependent recreation"

HOUSE JOURNAL  
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 27, 2015

12. Page 3, line 28.

**Following:** "2014 legacy administration grant,"

**Insert:** "the elk study in the Elkhorn Mountains, evaluation of grazing treatments on Lake Mason for greater sage grouse population and habitat management, the Montana wolf monitoring study,"

13. Page 4, line 6.

**Following:** "Forest,"

**Insert:** "the Montana wildlife lands program,"

14. Page 4, line 11.

**Following:** line 10

**Insert:** "All remaining fiscal year 2015 federal budget amendment authority for the fish barrier removal in the Missouri River system, the restoration work on Big Spring Creek, and the Clear Creek conservation legacy project is authorized to continue into federal fiscal year 2017.

Administration

All remaining fiscal year 2015 federal budget amendment authority for the Great Plains wind energy project is authorized to continue into state fiscal year 2016."

15. Page 4, line 12.

**Following:** line 11

**Insert:** "Poplar Pipeline Spill on the Yellowstone River FY2015 \$30,000 Federal"

16. Page 4, line 15.

**Strike:** line 15 through line 16

17. Page 4, line 27 through line 28.

**Following:** "authority for" on line 27

**Strike:** "the" on line 27 through "grant, and" on line 28

18. Page 5, line 8.

**Following:** line 7

**Insert:** "March 2014 Severe Flooding Emergency Relief Funds FY2015 \$1,502,667 Federal"

19. Page 5, line 12.

**Following:** "Program"

**Insert:** "and the March 2014 Severe Flooding Emergency Relief Funds"

20. Page 5, line 22 through line 23.

**Strike:** "All" on page 5, line 22 through "2017." on page 5, line 23

**Insert:** "Wolf-Livestock Demonstration Project Grant Program FY2015 \$150,000 Federal

All of the remaining fiscal year 2015 federal budget amendment authority for the wolf-livestock demonstration project grant program is authorized to continue into state fiscal year 2015."

HOUSE JOURNAL  
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 27, 2015

21. Page 5, line 26.

**Following:** line 25

**Insert:** "All remaining fiscal year 2015 federal budget amendment authority for developing an adaptive management plan to address climate change impacts is authorized to continue into state fiscal year 2017."

22. Page 6, line 1.

**Insert:** "Drought Demonstration Project      FY2015      \$20,000 Federal"

23. Page 6, line 6.

**Following:** line 5

**Insert:** "All remaining fiscal year 2015 federal budget amendment authority for the drought demonstration project is authorized to continue into state fiscal year 2017."

24. Page 6, line 12 through line 13.

**Strike:** "the fiscal year 2013" on page 6, line 12 through "grant," on page 6, line 13

25. Page 6, line 18.

**Following:** "National Forest,"

**Insert:** "the fiscal year 2013 hazardous fuels reduction on adjacent non-federal lands, the fiscal year 2013 forest health protection from the western bark beetle, the fiscal year 2012 consolidated payments grant,"

26. Page 7, line 20.

**Following:** line 19

**Insert:** "Reemployment and eligibility assessment    FY2015      \$105,662      Federal  
Women's Bureau Paid Leave Analysis      FY2015      \$124,651  
Federal"

27. Page 7, line 26.

**Following:** line 25

**Insert:** "Reemployment and eligibility assessment    FY2015      \$5,625      Federal"

28. Page 8, line 18.

**Following:** line 17

**Insert:** "Public Health and Safety Division

All remaining fiscal year 2015 federal budget amendment authority for the affordable care act maternal, infant, and early childhood home visiting program is authorized to continue into federal fiscal year 2016.

Medicaid and Health Services

All remaining fiscal year 2015 federal budget amendment authority for state innovation models is authorized to continue into state fiscal year 2016."

And, as amended, do pass. Report adopted.

HOUSE JOURNAL  
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 27, 2015

**HB 10**, introduced bill, be amended as follows:

1. Title, page 1, line 11 through line 12.

**Following:** "ADMINISTRATION," on line 11

**Strike:** remainder of line 11 through "JUSTICE," on line 12

2. Page 2, line 11 through line 22.

**Strike:** line 11 through line 22 in their entirety

**Insert:** "Statewide Information Technology Projects  
6,466,000 (LRITP)                      6,466,000 (Total)

The department of administration may prioritize the expenditure of the statewide information technology projects appropriation among the network and security upgrades, data protection initiative, statewide public safety communication system, security system replacement/assessments, and court technology improvement program projects. The department will report the use of the funds to the legislative finance committee."

3. Page 2, line 27.

**Strike:** "3,000,000" Federal Special Revenue

**Insert:** "3,000,000" State Special Revenue

4. Page 2, line 29.

**Strike:** "\$12"

**Insert:** "\$7.3"

And, as amended, do pass. Report adopted.

**HB 235**, do pass. Report adopted.

**HB 423**, do pass. Report adopted.

**HB 512**, introduced bill, be amended as follows:

1. Page 1, line 18 through line 19.

**Strike:** "Each" on line 18 through "part."

**Insert:** "The laboratory director will determine the purposes, duties, and functions of each branch."

2. Page 1, line 21.

**Strike:** "\$5.8"

**Insert:** "\$2.05"

3. Page 1, line 25.

**Strike:** "\$5.8"

**Insert:** "\$2.05"

HOUSE JOURNAL  
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 27, 2015

4. Page 1, line 29.

**Strike:** "\$340,000"

**Insert:** "\$210,000"

5. Page 2, line 1.

**Strike:** "\$1.8 million"

**Insert:** "\$450,000"

And, as amended, do pass. Report adopted.

**HB 559**, introduced bill, be amended as follows:

1. Page 4, line 3.

**Following:** line 2

**Insert:** "COORDINATION SECTION. Section 4. Coordination instruction. If both House Bill No. 2 and [this act] are passed and approved and both contain an appropriation of \$750,000 in each year of the biennium beginning July 1, 2015, then [section 2 of this act] is void."

**Renumber:** subsequent sections

And, as amended, do pass. Report adopted.

**HB 576**, do pass. Report adopted.

**BUSINESS AND LABOR** (Berry, Chair):

3/27/2015

**SB 99**, be amended as follows:

1. Page 10, line 17.

**Strike:** "subsection"

**Insert:** "subsections"

**Following:** "(3)(b)"

**Insert:** "and (3)(c)"

And, as amended, be concurred in. Report adopted.

**SB 234**, be concurred in. Report adopted.

**SB 307**, be amended as follows:

1. Page 27.

**Following:** line 4

**"NEW SECTION. Section 27. Coordination instruction.** If both Senate Bill No. 35 and [this act] are passed and approved and both contain a section that amends 35-1-311, then the sections amending 35-1-311 are void and 35-1-311 must be amended as follows:

**"35-1-311. Registered name of foreign corporation.** (1) A foreign corporation may register its corporate name, or its corporate name with any addition required by 35-1-1031, if the name is distinguishable in the records of the secretary of state from the corporate names that are

HOUSE JOURNAL  
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 27, 2015

not available under 35-1-308(2)(c).

(2) A foreign corporation registers its corporate name, or its corporate name with any addition required by 35-1-1031, by delivering to the secretary of state, for filing, an application setting forth:

(a) ~~setting forth~~ its corporate name, or its corporate name with any addition required by 35-1-1031, the name of the state, tribe, or country under whose laws the foreign corporation is organized, the date of its incorporation, and a brief description of the nature of the business in which it is engaged; and

(b) ~~accompanied by a certificate of existence, or a similar document, from the state or country of incorporation~~ a statement that the foreign corporation has complied with the organizational laws in the jurisdiction in which it is organized and that the foreign corporation exists in that jurisdiction.

(3) The name is registered for the applicant's exclusive use on the effective date of the application.

(4) A foreign corporation whose registration is effective may renew it for successive years by delivering to the secretary of state, for filing, a renewal application that complies with the requirements of subsection (2). The renewal application must be delivered between October 1 and December 31 of the preceding year. The renewal application renews the registration for the following calendar year.

(5) A foreign corporation whose registration is effective may continue to qualify as a foreign corporation under that name or consent in writing to the use of that name by a corporation later authorized to transact business in this state. The registration terminates when the foreign corporation is incorporated as a domestic corporation or the foreign corporation qualifies or consents to the qualification of another foreign corporation under the registered name.""

**Renumber:** subsequent section

And, as amended, be concurred in. Report adopted.

**SB 347**, be concurred in. Report adopted.

**SB 365**, be concurred in. Report adopted.

**SB 379**, be concurred in. Report adopted.

**FISH, WILDLIFE AND PARKS** (Flynn, Chair):

3/26/2015

**SB 245**, be amended as follows:

1. Title, page 1, line 12.

**Following:** "GAME"

**Insert:** "AND THE POSTSEASON HUNTS"

2. Page 2.

**Following:** line 2

HOUSE JOURNAL  
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 27, 2015

**Insert:** "(4) Prior to July 1 of each year, the department shall report to the environmental quality council on the effectiveness of the postseason elk population management hunting season."

And, as amended, be concurred in. Report adopted.

**JUDICIARY** (Bennett, Chair):

3/26/2015

**HB 627**, introduced bill, be amended as follows:

1. Page 2, line 6.

**Strike:** "two"

**Insert:** "one"

**Strike:** "one"

**Insert:** "two"

And, as amended, do pass. Report adopted.

**TRANSPORTATION** (Lavin, Chair):

3/25/2015

**HB 628**, introduced bill, be amended as follows:

1. Title, line 6.

**Strike:** "ASSIGNED" through "2016"

2. Title, through page 7.

**Strike:** "A DELAYED"

**Insert:** "AN"

3. Page 1, line 22 through line 23.

**Strike:** "that" on line 22 through "2016," on line 23

4. Page 4, line 6.

**Strike:** "from" through "2016,"

5. Page 6, line 12.

**Strike:** "issued" through "2016,"

6. Page 6, line 16 through line 17.

**Strike:** "from" on line 16 through "2016," on line 17

7. Page 9, line 12.

**Strike:** "January 1, 2016"

**Insert:** "July 1, 2015"

HOUSE JOURNAL  
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 27, 2015

8. Page 9, line 13.

**Strike:** "January 1, 2016"

**Insert:** "July 1, 2015"

And, as amended, do pass. Report adopted.

**REPORTS OF SELECT COMMITTEES**

CONFERENCE COMMITTEE  
on House Amendments to **Senate Bill 126**  
Report No. 001, March 27, 2015

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered House amendments to **Senate Bill 126** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **Senate Bill 126** (reference copy -- salmon) be amended as follows:

1. Page 1, line 18 through line 19.

**Strike:** "UPON" on line 18 through "NOTICE" on line 19

**Insert:** "on transmission"

For the Senate:

Webb, Chair  
Facey  
Hansen

For the House:

Berglee, Vice Chair  
Mehlhoff  
Regier

**MESSAGES FROM THE SENATE**

**House bill not** concurred in and returned to the House:

3/25/2015

**HB 446**, introduced by Wagoner

**House bills** concurred in as amended and returned to the House for concurrence in Senate amendments:

3/25/2015

**HB 118**, introduced by B. Bennett

**HB 343**, introduced by B. Bennett

**HB 350**, introduced by Shaw

**HB 439**, introduced by Redfield



HOUSE JOURNAL  
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 27, 2015

**House bills** concurred in and returned to the House:

3/25/2015

**HB 39**, introduced by Price

**HB 40**, introduced by Berry

**HB 49**, introduced by Perry

**HB 272**, introduced by Hill

**HB 522**, introduced by Berry

**Senate bill** passed and transmitted to the House for concurrence:

3/25/2015

**SB 309**, introduced by Hinkle

**FIRST READING AND COMMITMENT OF BILLS**

The following Senate bill was introduced, read first time, and referred to committee:

**SB 309**, introduced by J. Hinkle, referred to Fish, Wildlife and Parks.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Mandeville in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 620** - Majority Leader Regier moved consideration of **HB 620** be passed for the day. Motion carried.

**HB 599** - Representative Randall moved **HB 599** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 94

HOUSE JOURNAL  
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 27, 2015

Nays: Ellis, Hayman, Olsen, Pease-Lopez, Peppers, Wilson.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 416** - Representative Mehlhoff moved **HB 416** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 95

Nays: Burnett, Cook, Cuffe, Hagstrom, Zolnikov.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 425** - Representative Monforton moved **HB 425** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 54

Nays: B. Bennett, Z. Brown, Clark, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry,

HOUSE JOURNAL  
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 27, 2015

Person, Pierson, Pope, Price, Schreiner, Schwaderer, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 46

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 427** - Representative B. Brown moved **HB 427** do pass. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Fiscus, Flynn, Garner, Glimm, Greef, Harris, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 44

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 56

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 496** - Representative White moved **HB 496** do pass.

**HB 496** - Representative Flynn moved **HB 496**, second reading copy, be amended as follows:

1. Page 2, line 21.

**Following:** line 20

**Insert:** "(4) The task force shall study the management of noxious weeds on public land administered by the United States forest service and the bureau of land management."

**Renumber:** subsequent subsections

Amendment adopted as follows:

HOUSE JOURNAL  
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 27, 2015

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 88

Nays: B. Bennett, Burnett, Dudik, Dunwell, Eck, Hayman, MacDonald, Peppers, Tropila, Wilson.

Total 10

Excused: None.

Total 0

Absent or not voting: Flynn, Randall.

Total 2

**HB 496** - Representative White moved **HB 496**, as amended, do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 54

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 46

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 27, 2015

**HB 510** - Representative Redfield moved **HB 510** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Steenberg, Tschida, Wagoner, Webber, Welborn, White, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: Kipp III, Olsen, Peppers, Schreiner, Smith, Swanson, Tropila, Williams.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 596** - Representative Knudsen moved **HB 596** do pass.

**HB 596** - Representative Brodehl moved for cloture. Motion carried. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Lamm, Lang, Laszloffy, Lavin, Lieser, MacDonald, Mandeville, Manzella, McCarthy, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Person, Pinocci, Pope, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 74

Nays: B. Bennett, Court, Curdy, Dudik, Dunwell, Eck, Funk, Hayman, Jones, Karjala, Kelker, Kipp III, Lynch, McClafferty, McConnell, Pease-Lopez, Peppers, Perry, Pierson, Price, Schreiner, Smith, Steenberg, Swanson, Wilson.

Total 25

Excused: None.

Total 0

HOUSE JOURNAL  
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 27, 2015

Absent or not voting: Noonan.

Total 1

**HB 596** - Representative Knudsen moved **HB 596** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 53

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 47

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 598** - Representative Monforton moved **HB 598** do pass. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Fiscus, Flynn, Glimm, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Laszloffy, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 44

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Garner, Greef, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 56

Excused: None.

Total 0

HOUSE JOURNAL  
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 27, 2015

Absent or not voting: None.

Total 0

**HB 607** - Representative Wagoner moved **HB 607** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Fitzpatrick.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 614** - Representative Wittich moved **HB 614** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 56

Nays: B. Bennett, Z. Brown, Clark, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 44

Excused: None.

Total 0

HOUSE JOURNAL  
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 27, 2015

Absent or not voting: None.

Total 0

**HB 615** - Representative Glimm moved **HB 615** do pass.

**HB 615** - Representative Hill moved **HB 615**, second reading copy, be amended as follows:

1. Page 3, line 15.

**Following:** "14"

**Insert:** "(3) A person claiming the protections of [sections 1 through 5] who refuses to provide any service to another person based on the other person's race, disability, religion, gender, sexual orientation, or gender identity shall post notice of the refusal in a manner clearly visible to the public in all places of business, including any websites. The notice may refer to the person's religious beliefs but must state specifically who the business does not serve by referring to a refusal based upon race, disability, religion, gender, sexual orientation, or gender identity."

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Shaw, Smith, Steenberg, Swanson, Webber, Williams, Wilson, Woods.

Total 42

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, Burnett, Clark, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Tropila, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 56

Excused: None.

Total 0

Absent or not voting: B. Brown, Moore.

Total 2

**HB 615** - Representative Miller moved for cloture. Motion carried. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hollandsworth,



HOUSE JOURNAL  
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 27, 2015

Holmlund, Hunter, Jones, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Peppers, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Shaw, Staffanson, Steenberg, Tropila, Tschida, Wagoner, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 83

Nays: B. Bennett, Eck, Funk, Hill, Jacobson, Karjala, Kelker, Kipp III, McConnell, Olsen, Pease-Lopez, Perry, Schreiner, Smith, Swanson, Webber.

Total 16

Excused: None.

Total 0

Absent or not voting: Schwaderer.

Total 1

**HB 615** - Representative Glimm moved **HB 615** do pass. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 50

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 50

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 617** - Representative Lavin moved **HB 617** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick,

HOUSE JOURNAL  
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 27, 2015

Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: Berglee, Burnett, Harris, Lamm, Laszloffy, Monforton, Redfield, Ricci.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Mandeville moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, J. Bennett, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Custer, Doane, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 89

Nays: B. Bennett, Berglee, Curdy, Dudik, Hill, Hunter, Laszloffy, Olsen, Pease-Lopez, Regier, Wilson.

Total 11

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 27, 2015

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 9** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Wittich, Woods.

Total 78

Nays: B. Brown, Burnett, Clark, Doane, Flynn, Glimm, Hess, Jones, Monforton, Mortensen, Noland, Pinocci, Randall, Redfield, Regier, Schwaderer, Staffanson, Wagoner, White, Zolnikov, Mr. Speaker.

Total 21

Excused: None.

Total 0

Absent or not voting: Fitzpatrick.

Total 1

**HB 114** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Zolnikov, Mr. Speaker.

Total 89

Nays: Hayman, Lieser, Lynch, Noonan, Olsen, Pierson, Schreiner, Swanson, Woods.

Total 9

HOUSE JOURNAL  
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 27, 2015

Excused: None.

Total 0

Absent or not voting: Fitzpatrick, Jones.

Total 2

**HB 202** passed as follows:

Yeas: Ballance, B. Bennett, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Mortensen, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 68

Nays: J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Doane, Ehli, Flynn, Glimm, Harris, Holmlund, Lang, Miller, Monforton, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 30

Excused: None.

Total 0

Absent or not voting: Fitzpatrick, Jones.

Total 2

**HB 389** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hollandsworth, Holmlund, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McCarthy, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hess, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McClafferty, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Williams, Wilson, Woods.

Total 41

HOUSE JOURNAL  
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 27, 2015

Excused: None.

Total 0

Absent or not voting: Jones.

Total 1

**HB 407** passed as follows:

Yeas: B. Bennett, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Woods.

Total 64

Nays: Ballance, J. Bennett, Berglee, B. Brown, Burnett, Doane, Ehli, Fiscus, Flynn, Garner, Glimm, Harris, Hess, Holmlund, Lang, Lavin, Manzella, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, Wittich, Zolnikov, Mr. Speaker.

Total 35

Excused: None.

Total 0

Absent or not voting: Jones.

Total 1

**HB 464** passed as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Moore, Mortensen, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 71

Nays: Ballance, Brodehl, B. Brown, Burnett, Cuffe, Fiscus, Fitzpatrick, Glimm, Hess, Holmlund, Manzella, Meyers, Monforton, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Tschida, Wagoner, Welborn, White, Zolnikov.

Total 27

HOUSE JOURNAL  
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 27, 2015

Excused: None.

Total 0

Absent or not voting: Flynn, Jones.

Total 2

**HB 487** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Williams, Wilson, Woods, Mr. Speaker.

Total 85

Nays: Cook, Kipp III, Mandeville, Meyers, Monforton, Noland, Redfield, Ricci, Schwaderer, Welborn, White, Wittich, Zolnikov.

Total 13

Excused: None.

Total 0

Absent or not voting: Flynn, Jones.

Total 2

**MOTIONS**

Majority Leader Regier moved **HB 416** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **HB 510** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **HB 596** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **HB 599** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **HB 607** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **HB 617** be moved from the Committee of the Whole to the Appropriations Committee.

HOUSE JOURNAL  
SIXTY-FOURTH LEGISLATIVE DAY - MARCH 27, 2015

Representative Miller moved the House would adjourn until Saturday, March 28, 2015 at 8:00 a.m.

Motion **carried** as follows.

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 55

Nays: B. Bennett, Z. Brown, Clark, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 44

Excused: None.

Total 0

Absent or not voting: Jones.

Total 1

House adjourned at 5:17 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
SIXTY-FIFTH LEGISLATIVE DAY**

Helena, Montana  
March 28, 2015

House Chambers  
State Capitol

House convened at 8:00 a.m. Mr. Speaker presiding. Invocation by Representative Hagstrom. Pledge of Allegiance to the Flag. Roll Call. All members present, except Representative D. Jones, excused. Quorum present.

**BILLS** (Welborn, Chair):

3/28/2015

Correctly printed: **SB 37, SB 136, SB 330, SJR 12.**

Correctly engrossed: **HB 637, SB 312.**

Transmitted to the Senate: **HB 9, HB 114, HB 202, HB 389, HB 407, HB 464, HB 487.**

Signed by the Speaker at 10:40 a.m., March 30, 2015: **HB 49, HB 111, HB 537.**

Signed by the Chief Clerk of the House at 11:12 a.m., March 30, 2015: **HB 49, HB 111, HB 537.**

Signed by the President at 2:00 p.m., March 28, 2015: **HB 39, HB 40, HB 252, HB 272, HB 513, HB 522.**

**REPORTS OF STANDING COMMITTEES**

**FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS** (Lang, Chair): 3/27/2015  
**SB 312**, be amended as follows:

1. Title, page 1, line 5 through line 6.

**Strike:** "REQUIRING LARGE CUSTOMERS TO FILE REPORTS WITH THE ENERGY AND TELECOMMUNICATIONS INTERIM COMMITTEE;"

2. Page 2, line 13.

**Following:** "utility"

**Insert:** "or large customer"

3. Page 4, line 2.

**Strike:** "information on"

**Insert:** "the names of"

**Following:** "who"

**Insert:** "either utilized credits to minimize or eliminate their charge pursuant to subsection (7) or"

And, as amended, be concurred in. Report adopted.

**SJR 12**, be concurred in. Report adopted.



HOUSE JOURNAL  
SIXTY-FIFTH LEGISLATIVE DAY - MARCH 28, 2015

**NATURAL RESOURCES** (White, Chair): 3/27/2015  
**SB 37**, be concurred in. Report adopted.  
**SB 136**, be concurred in. Report adopted.  
**SB 330**, be concurred in. Report adopted.

**TAXATION** (Miller, Chair): 3/27/2015  
**HB 637**, introduced bill, be amended as follows:

1. Page 1, line 17.

**Strike:** "qualified"

2. Page 1, line 27 through line 28.

**Strike:** subsection (5) in its entirety

**Renumber:** subsequent subsections

And, as amended, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**House bill not** concurred in and returned to the House: 3/26/2015

**HB 297**, introduced by Court

**House bill** concurred in as amended and returned to the House for concurrence in Senate amendments:

3/26/2015

**HB 550**, introduced by Swanson

**House bills** concurred in and returned to the House:

3/26/2015

**HB 111**, introduced by Regier

**HB 168**, introduced by Fitzpatrick

**HB 315**, introduced by Harris

**HB 537**, introduced by Berry

**Senate bill** passed and transmitted to the House for concurrence:

3/27/2015

**SB 375**, introduced by Sales

HOUSE JOURNAL  
SIXTY-FIFTH LEGISLATIVE DAY - MARCH 28, 2015

**MESSAGES FROM THE GOVERNOR**

March 27, 2015

The Honorable Austin Knudsen  
Speaker of the House  
State Capitol  
Helena, Montana 59620

Dear Speaker Knudsen:

Please be informed that I have signed **House Bill 90** sponsored by Representative Olsen, **House Bill 158** sponsored by Representative MacDonald, **House Bill 225** sponsored by Representative Ricci, **House Bill 246** sponsored by Representative Perry, **House Bill 354** sponsored by Representative Brodehl, and **House Bill 387** sponsored by Representative McConnell on March 27, 2015.

I am returning **House Bill 250** - K. Wagoner with amendments.

I have vetoed **House Bill 203** - A. Wittich and **House Bill 298** - B. Harris.

Sincerely,

STEVE BULLOCK  
Governor

March 27, 2015

The Honorable Austin Knudsen  
Speaker of the House  
State Capitol  
Helena, Montana 59620

Dear Speaker Knudsen:

Please be informed that I have signed **House Bill 393** sponsored by Representative Richmond on March 26, 2015.

Sincerely,

STEVE BULLOCK  
Governor

HOUSE JOURNAL  
SIXTY-FIFTH LEGISLATIVE DAY - MARCH 28, 2015

**FIRST READING AND COMMITMENT OF BILLS**

The following Senate bill was introduced, read first time, and referred to committee:

**SB 375**, introduced by S. Sales, referred to Transportation.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Tschida in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 457** - Majority Leader Regier moved consideration of **HB 457** be passed for the day. Motion carried.

**HB 154** - Representative Hollandsworth moved **HB 154** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McCarthy, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Lieser, Lynch, MacDonald, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 39

Excused: None.

Total 0

Absent or not voting: Kipp III.

Total 1

HOUSE JOURNAL  
SIXTY-FIFTH LEGISLATIVE DAY - MARCH 28, 2015

**HB 269** - Representative Jacobson moved **HB 269** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods.

Total 83

Nays: J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Glimm, Jones, Lamm, Monforton, Pinocci, Regier, Schwaderer, Staffanson, White, Wittich, Zolnikov, Mr. Speaker.

Total 17

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 512** - Representative Mortensen moved **HB 512** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 91

Nays: Brodehl, B. Brown, Burnett, Cuffe, Ehli, Glimm, Monforton, Olszewski, Welborn.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SIXTY-FIFTH LEGISLATIVE DAY - MARCH 28, 2015

**HB 559** - Representative Kipp moved **HB 559** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 78

Nays: J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Flynn, Glimm, Jones, Lang, Laszloffy, Manzella, Monforton, Mortensen, Noland, Pinocci, Randall, Regier, Ricci, Schwaderer, White, Wittich.  
Total 22

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 566** - Representative Essmann moved **HB 566** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 59

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
SIXTY-FIFTH LEGISLATIVE DAY - MARCH 28, 2015

**HB 593** - Representative Essmann moved **HB 593** do pass.

**HB 593** - Representative Essmann moved **HB 593**, second reading copy, be amended as follows:

1. Page 3, line 6.

**Strike:** subsection (4) in its entirety

**Renumber:** subsequent subsections

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Hess, Schwaderer, White.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 593** - Representative Essmann moved **HB 593**, second reading copy, be amended as follows:

1. Page 3, line 25.

**Strike:** "under the control"

**Insert:** "within the jurisdiction"

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin,

HOUSE JOURNAL  
SIXTY-FIFTH LEGISLATIVE DAY - MARCH 28, 2015

Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: J. Bennett, Doane, Hess, Schwaderer, Staffanson.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 593** - Representative Essmann moved **HB 593**, as amended, do pass. Motion **failed** as follows:

Yeas: Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Ellis, Essmann, Funk, Hagstrom, Hayman, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Moore, Noland, Noonan, Pease-Lopez, Person, Pierson, Pope, Price, Redfield, Richmond, Salomon, Smith, Steenberg, Swanson, Tschida, Wagoner, Webber, Williams, Woods, Zolnikov.

Total 49

Nays: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Dudik, Dunwell, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Hill, Jones, Lamm, Laszloffy, Lavin, Mandeville, Manzella, Meyers, Monforton, Mortensen, Olsen, Olszewski, Osmundson, Peppers, Perry, Pinocci, Randall, Regier, Ricci, Schreiner, Schwaderer, Shaw, Staffanson, Tropila, Welborn, White, Wilson, Wittich, Mr. Speaker.

Total 51

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 610** - Representative Z. Brown moved **HB 610** do pass. Motion carried as follows:

Yeas: B. Bennett, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff,

HOUSE JOURNAL  
SIXTY-FIFTH LEGISLATIVE DAY - MARCH 28, 2015

Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 55

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Doane, Essmann, Fiscus, Fitzpatrick, Glimm, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 45

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 612** - Representative Dudik moved **HB 612** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 618** - Representative Pope moved **HB 618** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner,



HOUSE JOURNAL  
SIXTY-FIFTH LEGISLATIVE DAY - MARCH 28, 2015

Glimm, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 86

Nays: J. Bennett, Brodehl, Cook, Cuffe, Doane, Harris, Hess, Lamm, McKamey, Meyers, Monforton, Mortensen, Redfield, Wittich.

Total 14

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 621** - Representative Jacobson moved **HB 621** do pass.

**HB 621** - Representative Jacobson moved **HB 621**, second reading copy, be amended as follows:

1. Title, page 1, line 7.

**Following:** "7-6-4414,"

**Insert:** "15-16-101, 15-16-102,"

**Strike:** "15-17-321,"

**Following:** "15-17-322,"

**Insert:** "15-17-323,"

2. Page 1, line 13.

**Following:** "15-18-211"

**Strike:** ", "

**Insert:** ":

(a)"

3. Page 1, line 15.

**Following:** "issued"

**Insert:** "and not redeemed within the period provided for in 15-18-111;"

**Following:** "and"

**Insert:** "(b)"

**Strike:** "proceed to"

HOUSE JOURNAL  
SIXTY-FIFTH LEGISLATIVE DAY - MARCH 28, 2015

**Insert:** ", within 6 months,"

**Strike:** "property as provided for"

**Insert:** "right to acquire a tax deed using the process established"

4. Page 1, line 17.

**Strike:** "property"

**Insert:** "right to acquire a tax deed"

5. Page 1, line 19.

**Strike:** "property"

**Insert:** "right to acquire the tax deed"

6. Page 1, line 19 through line 20.

**Strike:** "tax" on line 19 through "issued" on line 20

**Insert:** "expiration of the redemption period provided for in 15-18-111,"

7. Page 1, line 20.

**Strike:** "property"

**Insert:** "right to acquire the tax deed"

8. Page 1, line 26.

**Following:** "tax"

**Insert:** "lien"

9. Page 1, line 30.

**Strike:** the second "property"

**Insert:** "right to acquire the tax deed"

10. Page 2, line 2.

**Following:** "property"

**Insert:** "right to acquire the tax deed"

11. Page 2, line 9.

**Following:** "tax"

**Insert:** "lien"

12. Page 2, line 10 through line 11.

**Strike:** "tax" through "issued"

**Insert:** "expiration of the redemption period provided for in 15-18-111"

13. Page 2, line 14.

**Strike:** "property"

**Insert:** "right to acquire the tax deed"

HOUSE JOURNAL  
SIXTY-FIFTH LEGISLATIVE DAY - MARCH 28, 2015

14. Page 2, line 25.

**Following:** line 24

**Insert:** "Section 3. Section 15-16-101, MCA, is amended to read:

**"15-16-101. Treasurer to publish notice -- manner of publication.** (1) Within 10 days after the receipt of the property tax record, the county treasurer shall publish a notice specifying:

(a) that one-half of all taxes levied and assessed will be due and payable before 5 p.m. on the next November 30 or within 30 days after the notice is postmarked and that unless paid prior to that time the amount then due will be delinquent and will draw interest at the rate of 5/6 of 1% a month or, for taxes due on a principal residence, at an annualized rate of 4% above the prime rate, as published on the date of delinquency, a month from the time of delinquency until paid and that 2% will be added to the delinquent taxes as a penalty;

(b) that one-half of all taxes levied and assessed will be due and payable on or before 5 p.m. on the next May 31 and that unless paid prior to that time the taxes will be delinquent and will draw interest at the rate of 5/6 of 1% a month or, for taxes due on a principal residence, at an annualized rate of 4% above the prime rate, as published on the date of delinquency, a month from the time of delinquency until paid and that 2% will be added to the delinquent taxes as a penalty; and

(c) the time and place at which payment of taxes may be made.

(2) (a) The county treasurer shall send to the last-known address of each taxpayer a written notice, postage prepaid, showing the amount of taxes and assessments due for the current year and the amount due and delinquent for other years. The written notice must include:

- (i) the taxable value of the property;
- (ii) the total mill levy applied to that taxable value;
- (iii) itemized city services and special improvement district assessments collected by the county;
- (iv) the number of the school district in which the property is located;
- (v) the amount of the total tax due that is levied as city tax, county tax, state tax, school district tax, and other tax; and

(vi) a notice of the availability of all the property tax assistance programs available to property taxpayers, including the property tax assistance program under 15-6-134, the extended property tax assistance program under 15-6-193, the disabled or deceased veterans' residence exemption under 15-6-211, and the residential property tax credit for the elderly under 15-30-2337 through 15-30-2341.

(b) If the property is the subject of a tax lien sale for which a tax lien sale certificate has been issued under 15-17-212, the notice must also include, in a manner calculated to draw attention, a statement that the property is the subject of a tax lien sale and that the taxpayer may contact the county treasurer for complete information.

(3) The municipality shall, upon request of the county treasurer, provide the information to be included under subsection (2)(a)(iii) ready for mailing.

(4) The notice in every case must be published once a week for 2 weeks in a weekly or daily newspaper published in the county, if there is one, or if there is not, then by posting it in three public places. Failure to publish or post notices does not relieve the taxpayer from any tax

HOUSE JOURNAL  
SIXTY-FIFTH LEGISLATIVE DAY - MARCH 28, 2015

liability. Any failure to give notice of the tax due for the current year or of delinquent tax will not affect the legality of the tax.

(5) If the department revises an assessment that results in an additional tax of \$5 or less, an additional tax is not owed and a new tax bill does not need to be prepared.

(6) For purposes of this section, "prime rate" and "principal residence" have the meanings provided in 15-17-121."

**Insert: "Section 4.** Section 15-16-102, MCA, is amended to read:

**"15-16-102. Time for payment -- penalty for delinquency.** Unless suspended or canceled under the provisions of 10-1-606 or Title 15, chapter 24, part 17, all taxes levied and assessed in the state of Montana, except assessments made for special improvements in cities and towns payable under 15-16-103, are payable as follows:

(1) One-half of the taxes are payable on or before 5 p.m. on November 30 of each year or within 30 days after the tax notice is postmarked, whichever is later, and one-half are payable on or before 5 p.m. on May 31 of each year.

(2) Unless one-half of the taxes are paid on or before 5 p.m. on November 30 of each year or within 30 days after the tax notice is postmarked, whichever is later, the amount payable is delinquent and draws interest at the rate of 5/6 of 1% a month or, for taxes due on a principal residence, at an annualized rate of 4% above the prime rate, as published on the date of delinquency, a month from and after the delinquency until paid, and that 2% must be added to the delinquent taxes as a penalty.

(3) All taxes due and not paid on or before 5 p.m. on May 31 of each year are delinquent and draw interest at the rate of 5/6 of 1% a month or, for taxes due on a principal residence, at an annualized rate of 4% above the prime rate, as published on the date of delinquency, a month from and after the delinquency until paid, and that 2% must be added to the delinquent taxes as a penalty.

(4) (a) If the date on which taxes are due falls on a holiday or Saturday, taxes may be paid without penalty or interest on or before 5 p.m. of the next business day in accordance with 1-1-307.

(b) If taxes on property qualifying under the low-income property tax assistance provisions of 15-6-134(1)(c) are paid within 20 calendar days of the date on which the taxes are due, the taxes may be paid without penalty or interest. If a tax payment is made later than 20 days after the taxes were due, the penalty must be paid and interest accrues from the date on which the taxes were due.

(5) (a) A taxpayer may pay current year taxes without paying delinquent taxes. The county treasurer shall accept a partial payment equal to the delinquent taxes, including penalty and interest, for one or more full tax years if taxes for both halves of the current tax year have been paid. Payment of taxes for delinquent taxes must be applied to the taxes that have been delinquent the longest. The payment of taxes for the current tax year is not a redemption of the property tax lien for any delinquent tax year.

(b) A payment by a co-owner of an undivided ownership interest that is subject to a separate assessment otherwise meeting the requirements of subsection (5)(a) is not a partial payment.

(6) The penalty and interest on delinquent assessment payments for specific parcels of land may be waived by resolution of the city council. A copy of the resolution must be certified to the county treasurer.

HOUSE JOURNAL  
SIXTY-FIFTH LEGISLATIVE DAY - MARCH 28, 2015

(7) If the department revises an assessment that results in an additional tax of \$5 or less, an additional tax is not owed and a new tax bill does not need to be prepared.

(8) The county treasurer may accept a partial payment of centrally assessed property taxes as provided in 76-3-207.

(9) For purposes of this section, "prime rate" and "principal residence" have the meanings provided in 15-17-121."

**Renumber:** subsequent sections

15. Page 4, line 20 through line 22.

**Strike:** "a month" on line 20 through "delinquency," on line 22

16. Page 6, line 1 through line 10.

**Strike:** section 7 in its entirety

**Renumber:** subsequent sections

17. Page 6, line 21.

**Following:** line 20

**Insert:** "**Section 10.** Section 15-17-323, MCA, is amended to read:

**"15-17-323. Assignment of rights -- form.** (1) Except as provided in subsection (1)(b), a tax lien sale certificate or other official record in which the county is listed as the purchaser must be assigned by the county treasurer to any person who, after providing proof of mail notice to the person to whom the property was assessed, as required by subsection (5), pays to the county the amount of the delinquent taxes, including penalties, interest, and costs, accruing from the date of delinquency.

(b) If the nonpayment pertains to property that is a principal residence that has not been subject to sale under [section 1], the county shall proceed as provided in [section 1].

(2) (a) The assignment made under subsection (1) must be in the form of an assignment certificate in substantially the following form:

I, ....., the treasurer of ..... County, state of Montana, hereby certify that a tax lien sale for tax year 20..., in the county of ....., was held on ..... (date), for the purpose of liquidating delinquent assessments, and I further certify that a property tax lien for delinquent taxes in the following property ..... (insert property description) was offered for sale and that there was no purchaser of the property tax lien. Accordingly, the county was listed as the purchaser as required by 15-17-214, MCA. As of the date of this certificate, the delinquency, including penalties, interest, and costs amounting to \$ ....., has not been liquidated by the person to whom the property was assessed, nor has the delinquency been otherwise redeemed.

Because there has been no liquidation of the delinquency or other redemption, I hereby assign all rights, title, and interest of the county of ....., state of Montana, acquired in the property by virtue of the tax lien sale to ..... (name and address of assignee) to proceed to obtain a tax deed to the property or receive payment in case of redemption as provided by law.

Witness my hand and official seal of office this ..... day of ....., 20...

..... County Treasurer

..... County

HOUSE JOURNAL  
SIXTY-FIFTH LEGISLATIVE DAY - MARCH 28, 2015

(b) A copy of an assignment certificate must be mailed to the person to whom the taxes were assessed, at the address of record, together with a notice that the person may contact the county treasurer for further information on lien assignments and property tax lien sales.

(3) An assignment made by a purchaser other than the county, by an assignee of the county, or by a previous assignee may be made for any consideration whatsoever. An assignment so made is legal and binding only upon filing with the county treasurer a statement that the purchaser's or other assignee's interest in the property has been assigned. The statement must contain:

- (a) the name and address of the new assignee;
- (b) the name and address of the original purchaser of the tax lien sale certificate;
- (c) the name and address of each previous assignee, if any;
- (d) a description of the property upon which the property tax lien was issued, which must contain the same information as contained in the tax lien sale certificate or assignment certificate, as appropriate;

- (e) the signature of the party, whether it is the purchaser or the assignee, making the assignment;

- (f) the signature of the new assignee; and

- (g) the date on which the statement was signed.

(4) If the certificate described in subsection (1) or the statement described in subsection (3) is lost or destroyed, the county treasurer shall, upon adequate proof and signed affidavit by the assignee that loss or destruction has occurred, issue a duplicate certificate to the assignee.

(5) Prior to making a payment under subsection (1), a person shall send notice of the proposed payment, by certified mail, to the person to whom the property was assessed. The form of the notice must be adopted by the department by rule. The notice must have been mailed at least 2 weeks prior to the date of the payment. The person making the payment shall provide proof of the mailing.

(6) The provisions of this section apply to any sale of land for which a treasurer's deed was not issued on or before March 5, 1917, or for which a tax deed was not issued on or before April 23, 1987, and the holder of any certificate described in subsection (1) has the same rights, powers, and privileges with regard to securing a deed as any purchaser of land at a tax lien sale may now have."

**Renumber:** subsequent sections

Amendment adopted as follows:

Yeas: B. Bennett, Berry, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Flynn, Funk, Garner, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Monforton, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 73

HOUSE JOURNAL  
SIXTY-FIFTH LEGISLATIVE DAY - MARCH 28, 2015

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Clark, Custer, Doane, Fiscus, Fitzpatrick, Glimm, Greef, Hess, Lang, Laszloffy, Manzella, Meyers, Mortensen, Noland, Pinocci, Redfield, Regier, Ricci, Schwaderer, Tschida, Wagoner, White.

Total 27

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Miller rose on a **Point of Personal Privilege**. In response to comments made during discussion on **HB 621**, Representative Miller stated that it is a Representative's responsibility to make sure that a bill is correct, it is not the lobbyist or staff's responsibility to make a bill right.

**HB 621** - Representative Jacobson moved **HB 621**, as amended, do pass. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Burnett, Clark, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Hagstrom, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Schwaderer, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 53

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Cook, Cuffe, Custer, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Mr. Speaker.

Total 47

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 628** - Representative Brodehl moved **HB 628** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz,

HOUSE JOURNAL  
SIXTY-FIFTH LEGISLATIVE DAY - MARCH 28, 2015

Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 629** - Representative Redfield moved **HB 629** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Lieser, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tropila, Tschida, Wagoner, Welborn, White, Williams, Wittich, Zolnikov, Mr. Speaker.  
Total 66

Nays: B. Bennett, Court, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Webber, Wilson, Woods.  
Total 34

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Tschida moved the Committee of the Whole report be adopted. Report adopted as follows:



HOUSE JOURNAL  
SIXTY-FIFTH LEGISLATIVE DAY - MARCH 28, 2015

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 99

Nays: None.  
Total 0

Excused: Jones.  
Total 1

Absent or not voting: None.  
Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 425** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Mr. Speaker.  
Total 51

Nays: B. Bennett, Z. Brown, Clark, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Zolnikov.  
Total 48

Excused: Jones.  
Total 1

HOUSE JOURNAL  
SIXTY-FIFTH LEGISLATIVE DAY - MARCH 28, 2015

Absent or not voting: None.

Total 0

**HB 496** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 52

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 47

Excused: Jones.

Total 1

Absent or not voting: None.

Total 0

**HB 576** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 54

Nays: B. Bennett, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 45

Excused: Jones.

Total 1

HOUSE JOURNAL  
SIXTY-FIFTH LEGISLATIVE DAY - MARCH 28, 2015

Absent or not voting: None.

Total 0

**HB 235** passed as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 89

Nays: Ballance, B. Brown, Burnett, Fiscus, Lamm, Manzella, Monforton, Olszewski, Wittich, Zolnikov.

Total 10

Excused: Jones.

Total 1

Absent or not voting: None.

Total 0

**HB 423** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Cook, Cuffe, Curdy, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Holmlund, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Smith, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 56

Nays: B. Bennett, B. Brown, Burnett, Clark, Court, Dudik, Dunwell, Eck, Ellis, Funk, Hagstrom, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 43

Excused: Jones.

Total 1

HOUSE JOURNAL  
SIXTY-FIFTH LEGISLATIVE DAY - MARCH 28, 2015

Absent or not voting: None.

Total 0

**SB 289** concurred in as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 51

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 48

Excused: Jones.

Total 1

Absent or not voting: None.

Total 0

**MOTIONS**

Majority Leader Regier moved **HB 612** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **HB 614** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **HB 628** be moved from the Committee of the Whole to the Appropriations Committee.

Representative Swanson moved that **HB 13** be taken from Appropriations and brought before the Committee of the Whole, March 30, 2015.

Motion **failed** as follows:

Yeas: B. Bennett, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 44

HOUSE JOURNAL  
SIXTY-FIFTH LEGISLATIVE DAY - MARCH 28, 2015

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 55

Excused: Jones.

Total 1

Absent or not voting: None.

Total 0

Representative Lynch moved that **HB 493** be taken from Appropriations and brought before the Committee of the Whole, March 30, 2015.

Motion **failed** as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 53

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 46

Excused: Jones.

Total 1

Absent or not voting: None.

Total 0

Representative Jacobson moved that **HB 287** be taken from Appropriations and brought before the Committee of the Whole, March 30, 2015.

Motion **failed** as follows:

HOUSE JOURNAL  
SIXTY-FIFTH LEGISLATIVE DAY - MARCH 28, 2015

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hess, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Zolnikov.

Total 45

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hollandsworth, Holmlund, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Mr. Speaker.

Total 54

Excused: Jones.

Total 1

Absent or not voting: None.

Total 0

Representative Peppers moved that **HB 301** be taken from Appropriations and brought before the Committee of the Whole, March 30, 2015.

Motion **failed** as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 45

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 54

Excused: Jones.

Total 1

HOUSE JOURNAL  
SIXTY-FIFTH LEGISLATIVE DAY - MARCH 28, 2015

Absent or not voting: None.

Total 0

Representative Schreiner moved that **HB 509** be taken from Human Services and brought before the Committee of the Whole, March 30, 2015.

Motion **failed** as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 49

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Hertz, Hess, Hollandsworth, Holmlund, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 49

Excused: Jones.

Total 1

Absent or not voting: Harris.

Total 1

Representative Staffanson moved the House will Adjourn.

Representative Staffanson withdrew his motion.

Representative Kipp moved that **HJR 17** be taken from Natural Resources and brought before the Committee of the Whole, March 30, 2015.

Motion **failed** as follows:

Yeas: B. Bennett, B. Brown, Z. Brown, Clark, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 48

HOUSE JOURNAL  
SIXTY-FIFTH LEGISLATIVE DAY - MARCH 28, 2015

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 51

Excused: Jones.

Total 1

Absent or not voting: None.

Total 0

Representative Curdy moved to reconsider action on **HB 593** and that **HB 593** be placed on second reading, March 30, 2015.

Motion **failed** as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Dunwell, Eck, Ellis, Essmann, Funk, Hayman, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Zolnikov.

Total 48

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Custer, Doane, Dudik, Ehli, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Holmlund, Lamm, Laszloffy, Lavin, Mandeville, Manzella, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Mr. Speaker.

Total 49

Excused: Jones.

Total 1

Absent or not voting: Hollandsworth, Shaw.

Total 2

Representative Jacobson moved that **HB 592** be taken from Appropriations and brought before the Committee of the Whole, March 30, 2015.



HOUSE JOURNAL  
SIXTY-FIFTH LEGISLATIVE DAY - MARCH 28, 2015

Motion **failed** as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 43

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 56

Excused: Jones.

Total 1

Absent or not voting: None.

Total 0

Representative Wittich moved that **HB 462** be taken from Business and Labor and brought before the Committee of the Whole, March 30, 2015.

Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Harris, Hess, Holmlund, Lamm, Lang, Laszloffy, Lavin, Manzella, McKamey, Meyers, Monforton, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 43

Nays: B. Bennett, Berry, Z. Brown, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Funk, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Moore, Mortensen, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 55

Excused: Jones.

Total 1

HOUSE JOURNAL  
SIXTY-FIFTH LEGISLATIVE DAY - MARCH 28, 2015

Absent or not voting: Fitzpatrick.

Total 1

Representative Schwaderer moved the House will Adjourn, March 30, 2015, the 66th Legislative Day at 1:00 p.m.

Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Perry, Person, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Tschida, Wagoner, Welborn, White, Williams, Wilson, Wittich, Zolnikov, Mr. Speaker.

Total 83

Nays: B. Bennett, Dudik, Dunwell, Eck, Ellis, Lieser, Mehlhoff, Olsen, Pease-Lopez, Peppers, Pierson, Schreiner, Swanson, Tropila, Webber, Woods.

Total 16

Excused: Jones.

Total 1

Absent or not voting: None.

Total 0

**SPECIAL ORDERS OF THE DAY**

Representative Pierson thanked the pages for their service.

House adjourned at 12:20 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
SIXTY-SIXTH LEGISLATIVE DAY**

Helena, Montana  
March 30, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Fiscus. Pledge of Allegiance to the Flag. Roll Call. All members present. Quorum present.

**BILLS** (Welborn, Chair):

3/30/2015

Correctly printed: **HB 341, HB 416, HB 421, HB 472, HB 510, HB 596, HB 599, HB 607, HB 612, HB 614, HB 617, HB 628.**

Correctly enrolled: **HB 99, HB 324, HB 363, HB 431, HB 536, HB 555, HB 573.**

Transmitted to the Senate: **HB 235, HB 423, HB 425, HB 496, HB 576, SB 289.**

Signed by the President at 5:00 p.m., March 30, 2015: **HB 49, HB 111, HB 537.**

Delivered to the Governor for approval at 12:30 p.m., March 30, 2015: **HB 33, HB 34, HB 35, HB 36, HB 39, HB 40, HB 44, HB 47, HB 69, HB 85, HB 100, HB 102, HB 107, HB 117, HB 145, HB 164, HB 193, HB 198, HB 207, HB 208, HB 240, HB 241, HB 252, HB 270, HB 272, HB 285, HB 289, HB 306, HB 319, HB 348, HB 353, HB 367, HB 372, HB 375, HB 392, HB 422, HB 429, HB 461, HB 481, HB 507, HB 513, HB 522.**

Delivered to the Secretary of State at 12:20 p.m., March 30, 2015: **HJR 11.**

**LEGISLATIVE ADMINISTRATION** (Welborn, Chair):

3/30/2015

MR. SPEAKER:

We, your committee on Legislative Administration recommend that employment of the following pages of the House be ceased as of 12:00 p.m., Saturday, March 28, 2015:

Adam Buxbaum, Culbertson  
Mariah Machart, Culbertson  
Andrew Pierson, Deer Lodge  
Abigal Konen, Fairfield  
Ravyn Frey, Helena  
Shealyn Mackay, East Helena  
Martino Dono, Galicia, Spain and East Helena

and recommend that the following pages of the House be employed as of 1:00 p.m., Monday, March 30, 2015:

Katie Witt, Carter  
Emalie Kleinsasser, Lewistown  
Cory Preshinger, Helena  
Greta Sanders, Big Timber  
Samuel Maloney, Butte  
Edwin Smart, Virginia City  
Mason Moe, Helena  
Report Adopted.

HOUSE JOURNAL  
SIXTY-SIXTH LEGISLATIVE DAY - MARCH 30, 2015

Majority Leader Regier announced that Republicans would caucus.  
Minority Leader Hunter announced that Democrats would stand at ease.

**REPORTS OF STANDING COMMITTEES**

**APPROPRIATIONS** (Ballance, Chair):

3/30/2015

**HB 341**, do pass. Report adopted.  
**HB 416**, do pass. Report adopted.  
**HB 421**, do pass. Report adopted.  
**HB 472**, do pass. Report adopted.  
**HB 510**, do pass. Report adopted.  
**HB 596**, do pass. Report adopted.  
**HB 599**, do pass. Report adopted.  
**HB 607**, do pass. Report adopted.  
**HB 612**, do pass. Report adopted.  
**HB 614**, do pass. Report adopted.  
**HB 617**, do pass. Report adopted.  
**HB 628**, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**House bills** concurred in as amended and returned to the House for concurrence in Senate amendments:

3/27/2015

**HB 259**, introduced by D. Moore  
**HB 447**, introduced by Wagoner  
**HB 448**, introduced by Wagoner  
**HB 516**, introduced by MacDonald  
**HB 542**, introduced by Hertz

**House bills** passed and transmitted to the House for concurrence:

3/27/2015

**HB 99**, introduced by McClafferty  
**HB 324**, introduced by Welborn  
**HB 363**, introduced by Funk  
**HB 431**, introduced by Dunwell  
**HB 536**, introduced by Berry  
**HB 555**, introduced by Fitzpatrick  
**HB 573**, introduced by Lavin

**Senate bill** passed and transmitted to the House for concurrence:

3/27/2015

**SB 393**, introduced by Arntzen

HOUSE JOURNAL  
SIXTY-SIXTH LEGISLATIVE DAY - MARCH 30, 2015

**FIRST READING AND COMMITMENT OF BILLS**

The following House joint resolution was introduced, read first time, and referred to committee:

**HJR 26**, introduced by G. Pierson, Z. Brown, M. Dunwell, J. Ellis, E. Greef, E. Hill, T. Jacobson, M. Lang, C. Larsen, S. Lavin, E. Lieser, E. McClafferty, N. McConnell, R. Mehlhoff, D. Mortensen, P. Noonan, A. Olsen, A. Olszewski, Z. Perry, A. Person, C. Pope, J. Price, D. Salomon, C. Schreiner, N. Schwaderer, S. Staffanson, T. Steenberg, B. Tschida, G. Vuckovich, J. Welborn, T. Woods, D. Moore, referred to Human Services.

The following Senate bill was introduced, read first time, and referred to committee:

**SB 393**, introduced by E. Arntzen, E. Buttrey, F. Garner, D. Jones, S. Lavin, M. MacDonald, L. Randall, D. Sands, K. Swanson, referred to Business and Labor.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Olszewski in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 4** - Representative Ballance moved **HB 4** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 90

Nays: Essmann, Fitzpatrick, Glimm, Lamm, Monforton, Schwaderer, Staffanson, White, Wittich, Zolnikov.

Total 10

Excused: None.

Total 0

HOUSE JOURNAL  
SIXTY-SIXTH LEGISLATIVE DAY - MARCH 30, 2015

Absent or not voting: None.

Total 0

**HB 6** - Representative Cuffe moved **HB 6** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Court, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McCarthy, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 61

Nays: B. Bennett, Z. Brown, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 39

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 7** - Representative Cuffe moved **HB 7** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 42

Excused: None.

Total 0

HOUSE JOURNAL  
SIXTY-SIXTH LEGISLATIVE DAY - MARCH 30, 2015

Absent or not voting: None.

Total 0

**HB 8** - Representative Cuffe moved **HB 8** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Tschida, Wagoner, White, Zolnikov, Mr. Speaker.

Total 56

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Monforton, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Wittich, Woods.

Total 44

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 10** - Representative McCarthy moved **HB 10** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 83

Nays: J. Bennett, B. Brown, Doane, Fitzpatrick, Glimm, Harris, Lamm, Lang, Monforton, Noland, Pinocci, Redfield, Schwaderer, Staffanson, Welborn, Wittich.

Total 16

Excused: None.

Total 0

HOUSE JOURNAL  
SIXTY-SIXTH LEGISLATIVE DAY - MARCH 30, 2015

Absent or not voting: Burnett.

Total 1

**HB 11** - Representative Cuffe moved **HB 11** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 219** - Representative Essmann moved **HB 219** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Dudik, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hollandsworth, Holmlund, Jacobson, Jones, Karjala, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Peppers, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Swanson, Tropila, Tschida, Wagoner, Welborn, White, Williams, Wittich, Zolnikov, Mr. Speaker.

Total 77

Nays: Court, Curdy, Dunwell, Eck, Ellis, Hess, Hill, Hunter, Kelker, Lieser, MacDonald, McConnell, Noonan, Olsen, Pease-Lopez, Perry, Person, Pope, Price, Steenberg, Webber, Wilson, Woods.

Total 23

Excused: None.

Total 0



HOUSE JOURNAL  
SIXTY-SIXTH LEGISLATIVE DAY - MARCH 30, 2015

Absent or not voting: None.

Total 0

**HB 234** - Representative Ballance moved **HB 234** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 57

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 43

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Olszewski moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McClafferty, McConnell, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Osmundson, Person, Pinocci, Pope, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Shaw, Staffanson, Steenberg, Tropila, Wagoner, Welborn, White, Williams, Wilson, Wittich, Zolnikov, Mr. Speaker.

Total 75

Nays: B. Bennett, Z. Brown, Court, Curdy, Ellis, Funk, Lieser, Lynch, MacDonald, McCarthy, Mehlhoff, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Pierson, Price, Schreiner, Schwaderer, Smith, Swanson, Webber, Woods.

Total 24

HOUSE JOURNAL  
SIXTY-SIXTH LEGISLATIVE DAY - MARCH 30, 2015

Excused: None.

Total 0

Absent or not voting: Tschida.

Total 1

House Recessed

House Reconvened

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Olszewski in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 305** - Representative Dudik moved **HB 305** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 91

Nays: J. Bennett, B. Brown, Manzella, Monforton, Noland, Randall, Schwaderer, Staffanson, Wittich.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 356** - Representative D. Jones moved **HB 356** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin,

HOUSE JOURNAL  
SIXTY-SIXTH LEGISLATIVE DAY - MARCH 30, 2015

Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 96

Nays: B. Brown, Burnett, Zolnikov.

Total 3

Excused: None.

Total 0

Absent or not voting: Glimm.

Total 1

**HB 403** - Representative Hagstrom moved **HB 403** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Perry, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Person, Pierson, Pope, Price, Schreiner, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 604** - Representative Greef moved **HB 604** do pass. Motion carried as follows:

Yeas: B. Bennett, Brodehl, Z. Brown, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person,

HOUSE JOURNAL  
SIXTY-SIXTH LEGISLATIVE DAY - MARCH 30, 2015

Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Webber, Welborn, Williams, Wilson, Woods.

Total 55

Nays: Ballance, J. Bennett, Berglee, Berry, B. Brown, Burnett, Clark, Cook, Doane, Fiscus, Flynn, Glimm, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tropila, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 45

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 606** - Representative Clark moved **HB 606** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 90

Nays: J. Bennett, Brodehl, Essmann, Lamm, Monforton, Olszewski, Schwaderer, White, Wittich, Zolnikov.

Total 10

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 627** - Representative Brodehl moved **HB 627** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess,

HOUSE JOURNAL  
SIXTY-SIXTH LEGISLATIVE DAY - MARCH 30, 2015

Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Perry, Person, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Woods, Zolnikov, Mr. Speaker.

Total 86

Nays: Dunwell, Eck, Funk, Hill, Karjala, Lynch, Pease-Lopez, Peppers, Pope, Price, Schreiner, Wilson, Wittich.

Total 13

Excused: None.

Total 0

Absent or not voting: Olsen.

Total 1

**HB 637** - Representative Person moved **HB 637** do pass. Motion carried as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Garner, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 56

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Mandeville, Manzella, McKamey, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 44

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Olszewski moved the Committee of the Whole report be adopted. Report adopted as follows:

HOUSE JOURNAL  
SIXTY-SIXTH LEGISLATIVE DAY - MARCH 30, 2015

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 98

Nays: Ellis, Wilson.  
Total 2

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 154** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McCarthy, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 59

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 40

Excused: None.  
Total 0

HOUSE JOURNAL  
SIXTY-SIXTH LEGISLATIVE DAY - MARCH 30, 2015

Absent or not voting: Fitzpatrick.

Total 1

**HB 269** passed as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods.

Total 78

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Fiscus, Glimm, Jones, Lamm, Manzella, Monforton, Noland, Olszewski, Pinocci, Regier, Schwaderer, White, Wittich, Zolnikov, Mr. Speaker.

Total 21

Excused: None.

Total 0

Absent or not voting: Fitzpatrick.

Total 1

**HB 512** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: Brodehl, B. Brown, Burnett, Ehli, Glimm, Monforton, Pinocci.

Total 7

Excused: None.

Total 0

HOUSE JOURNAL  
SIXTY-SIXTH LEGISLATIVE DAY - MARCH 30, 2015

Absent or not voting: Fitzpatrick.

Total 1

**HB 559** passed as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 77

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Flynn, Glimm, Lang, Laszloffy, Manzella, Monforton, Noland, Pinocci, Randall, Regier, Ricci, Schwaderer, Tschida, White, Wittich.

Total 22

Excused: None.

Total 0

Absent or not voting: Fitzpatrick.

Total 1

**HB 566** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 57

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 42

Excused: None.

Total 0



HOUSE JOURNAL  
SIXTY-SIXTH LEGISLATIVE DAY - MARCH 30, 2015

Absent or not voting: Fitzpatrick.

Total 1

**HB 610** passed as follows:

Yeas: B. Bennett, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 55

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Doane, Essmann, Fiscus, Glimm, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 44

Excused: None.

Total 0

Absent or not voting: Fitzpatrick.

Total 1

**HB 618** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 78

Nays: J. Bennett, Brodehl, B. Brown, Cook, Doane, Ellis, Harris, Hess, Lamm, Lang, Manzella, McKamey, Mehlhoff, Meyers, Monforton, Mortensen, Redfield, Tschida, Wagoner, White, Wittich.

Total 21

Excused: None.

Total 0

HOUSE JOURNAL  
SIXTY-SIXTH LEGISLATIVE DAY - MARCH 30, 2015

Absent or not voting: Fitzpatrick.

Total 1

**HB 629** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Peppers, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tropila, Tschida, Wagoner, Welborn, White, Williams, Wittich, Zolnikov, Mr. Speaker.

Total 63

Nays: B. Bennett, Z. Brown, Court, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Meyers, Noonan, Olsen, Pease-Lopez, Perry, Person, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Webber, Wilson, Woods.

Total 36

Excused: None.

Total 0

Absent or not voting: Fitzpatrick.

Total 1

**MOTIONS**

Minority Leader Hunter moved that **HB 3** be taken from Appropriations and brought before the Committee of the Whole, March 31, 2015.

Motion **failed** as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella,

HOUSE JOURNAL  
SIXTY-SIXTH LEGISLATIVE DAY - MARCH 30, 2015

McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

Excused: None.

Total 0

Absent or not voting: Fitzpatrick.

Total 1

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Tuesday, March 31, 2015. Motion carried.

House adjourned at 7:13 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
SIXTY-SEVENTH LEGISLATIVE DAY**

Helena, Montana  
March 31, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Mandeville. Pledge of Allegiance to the Flag. Roll Call. All members present, except Representative Fitzpatrick, excused. Quorum present.

**BILLS** (Welborn, Chair):

3/31/2015

Correctly printed: **SB 102, SB 123, SB 213, SB 336, SB 350, SB 361.**

Correctly engrossed: **HJR 23, SB 192, SB 217, SB 259, SB 280, SB 355, SB 390.**

Correctly enrolled: **HB 68, HB 209, HB 288, HB 290, HB 331, HB 342, HB 529, HB 564, HB 580, HB 584.**

Transmitted to the Senate: **HB 4, HB 6, HB 7, HB 10, HB 11, HB 154, HB 219, HB 234, HB 269, HB 305, HB 341, HB 356, HB 403, HB 416, HB 421, HB 472, HB 510, HB 512, HB 559, HB 566, HB 596, HB 599, HB 604, HB 606, HB 607, HB 610, HB 612, HB 614, HB 617, HB 618, HB 627, HB 628, HB 629, HB 637.**

Signed by the Speaker at 10:00 a.m., March 31, 2015: **HB 99, HB 168, HB 315, HB 324, HB 363, HB 431, HB 536, HB 555, HB 573.**

Signed by the Chief Clerk of the House at 1:20 p.m., March 31, 2015: **HB 99, HB 168, HB 315, HB 324, HB 363, HB 431, HB 536, HB 555, HB 573.**

Signed by the President at 3:45 p.m., March 31, 2015: **HB 99, HB 168, HB 315, HB 324, HB 363, HB 431, HB 536, HB 555, HB 573.**

Delivered to the Governor for approval at 8:23 a.m., March 31, 2015: **HB 49, HB 111, HB 537.**

**REPORTS OF STANDING COMMITTEES**

**BUSINESS AND LABOR** (Berry, Chair):

3/31/2015

**SB 123**, be concurred in. Report adopted.

**SB 192**, be amended as follows:

1. Title, page 1, line 4 through line 5.

**Strike:** "INCLUDE" on line 4 through "AUDIOLOGISTS" on line 5

**Insert:** "EXPAND FREEDOM OF CHOICE TO ADDITIONAL PRACTITIONERS"

2. Page 1, line 16.

**Following:** "audiologist,"

**Insert:** "licensed addiction counselor,"

3. Page 1, line 24 through line 25.

**Strike:** "required" on line 24

**Strike:** "by speech-language" on line 24 through "pathologist or audiologist" on line 25

**Insert:** "under freedom of choice for auxiliary health services"

HOUSE JOURNAL  
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2015

4. Page 1, line 27.

**Following:** "chapter 15,"

**Insert:** "or an addiction counselor licensed under Title 37, chapter 35,"

**Following:** "pathologists"

**Strike:** "or"

**Insert:** ", "

5. Page 1, line 28.

**Following:** "audiologists"

**Insert:** ", or addiction counselors"

And, as amended, be concurred in. Report adopted.

**SB 259**, be amended as follows:

1. Page 2, line 14.

**Strike:** "OUT OF ITS SURPLUS"

2. Page 3, line 5.

**Strike:** "OUT OF ITS SURPLUS"

3. Page 3, line 9 through line 11.

**Strike:** ", EXCEPT THAT MONEY" on line 9 through "PAID" on line 11

4. Page 11, line 20.

**Following:** "costs."

**Insert:** "The assessment may be up to 2% of the paid losses that were paid in the preceding calendar year by or on behalf of the plan No. 1 employer."

5. Page 11, line 24.

**Following:** "costs."

**Insert:** "The assessment may be up to 2% of the paid losses that were paid in the preceding calendar year by or on behalf of the employer for claims arising out of the time when the employer was enrolled under compensation plan No. 1."

6. Page 12, line 16.

**Following:** "(b)"

**Insert:** "(i)"

**Following:** "surcharge"

**Insert:** "may be up to 2% of the paid losses that were paid in the preceding calendar year by or on behalf of all plan No. 2 insurers and may be up to 2% of paid losses for claims arising on or after July 1, 1990, for plan No. 3, the state fund"

HOUSE JOURNAL  
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2015

7. Page 12, line 17.

**Following:** "subsection (6)(f)"

**Strike:** ", "

**Insert:** "."

(ii) The amount determined under subsection (6)(b)(i)"

8. Page 12, line 18.

**Following:** "year."

**Insert:** "(iii)"

9. Page 13, line 10.

**Following:** "assessment"

**Insert:** "of up to 2% of the paid losses that were paid in the preceding calendar year"

And, as amended, be concurred in. Report adopted.

**SB 280**, be amended as follows:

1. Title, page 1, line 5.

**Following:** "FOR"

**Insert:** "CERTAIN"

2. Page 1, line 24.

**Following:** "DOES NOT"

**Insert:** ": (a)"

**Following:** "CHAPTER 14"

**Insert:** "; or

(b) apply to loans or credit extended to any person secured solely by a trust indenture on single family residential real property owned and occupied by the person"

And, as amended, be concurred in. Report adopted.

**SB 390**, be amended as follows:

1. Title, page 1, line 9.

**Following:** "BOARDS;"

**Insert:** "PROVIDING AN APPROPRIATION;"

**Following:** "DATE"

**Insert:** "AND A TERMINATION DATE"

2. Page 1, line 26.

**Strike:** "and"

HOUSE JOURNAL  
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2015

3. Page 1, line 27.

**Strike:** "policies and procedures to set"

4. Page 1, line 28.

**Following:** "provided"

**Insert:** "; and

(d) whether the services provided add value to the work of the boards and contribute to public safety"

5. Page 1.

**Following:** line 28

**Insert:** "NEW SECTION. Section 2. Appropriation -- directions to committee. (1) There is appropriated \$7,000 from the state general fund for the biennium beginning July 1, 2015, to the legislative branch for use by the economic affairs interim committee, as provided in subsection (2).

(2) The appropriation must be used to pay for any additional meetings that may be needed to fully carry out the study directives in [section 1]. The committee is encouraged to work within its regular budget as much as possible as part of its duties to monitor the department of labor and industry and its administratively attached licensing boards. The committee also is encouraged to use teleconference capabilities whenever possible to avoid unnecessary travel of board members."

**Renumber:** subsequent sections

6. Page 2.

**Following:** line 3

**Insert:** "NEW SECTION. Section 5. Termination. [This act] terminates December 31, 2016."

And, as amended, be concurred in. Report adopted.

**EDUCATION** (Laszloffy, Chair):

3/30/2015

**SB 213**, be concurred in. Report adopted.

**HUMAN SERVICES** (Wittich, Chair):

3/30/2015

**SB 217**, be amended as follows:

1. Page 4, line 14.

**Following:** "medical"

**Strike:** " "

**Insert:** "or"

2. Page 4, line 14 through line 15.

**Following:** "health" on line 14

**Strike:** " " on line 14 through "administrative" on line 15

HOUSE JOURNAL  
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2015

3. Page 4, line 17.

**Following:** "medical"

**Strike:** " "

**Insert:** "or"

4. Page 4, line 17.

**Following:** "health"

**Strike:** " " through "administrative"

And, as amended, be concurred in. Report adopted.

**SB 336**, be concurred in. Report adopted.

**SB 350**, be concurred in. Report adopted.

**NATURAL RESOURCES** (White, Chair):

3/30/2015

**SB 102**, be concurred in. Report adopted.

**SB 355**, be amended as follows:

1. Title, page 1, line 4.

**Strike:** "REVISING"

**Insert:** "ESTABLISHING REQUIREMENTS FOR"

**Following:** "USE"

**Insert:** "AND REIMBURSEMENT"

**Following:** "FEDERAL"

**Insert:** "PETROLEUM"

2. Title, page 1, line 5.

**Strike:** "BROWNFIELDS SITES"

**Insert:** "PETROLEUM TANK RELEASE SITES"

**Following:** "MONTANA"

**Insert:** "PETROLEUM"

3. Title, page 1, line 11.

**Following:** "DEPARTMENT"

**Insert:** "AT CERTAIN PETROLEUM TANK RELEASE SITES"

**Strike:** "SECTION"

**Insert:** "SECTIONS 75-11-307 AND"

4. Page 1, line 16.

**Strike:** everything after the enacting clause

**Insert:** "NEW SECTION. Section 1. Short title. [Sections 1 through 6] may be cited as the "Montana Petroleum Brownfields Revitalization Act"."

**Insert:** "NEW SECTION. Section 2. Findings and intent -- purposes. The legislature finds that:



HOUSE JOURNAL  
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2015

(1) real properties exist across the state where the stigma of petroleum contamination hinders the development or best use of the property. These petroleum-contaminated properties may be eligible for petroleum brownfields funding.

(2) the cleanup of petroleum brownfields sites should be encouraged and facilitated to reduce threats to human health and the environment, prepare properties for reuse and redevelopment, and return property to local tax rolls;

(3) the petroleum tank release cleanup fund established in 75-11-313 is not sufficient to immediately address all petroleum tank release sites in Montana in a timely and comprehensive manner; and

(4) the department should encourage the use of federal brownfields money obtained by grant recipients for assessment and remediation at eligible petroleum brownfields sites and to leverage federal funds and limit costs imposed on Montana citizens."

**Insert:** "NEW SECTION. **Section 3. Definitions -- application.**

(1) The definitions used in [sections 1 through 6] are for the purpose of determining the eligibility of petroleum release sites to receive and expend federal brownfields funding received by a grant recipient from the United States environmental protection agency under the federal Brownfields Revitalization Act, Title II of Public Law 107-118.

(2) As used in [sections 1 through 6], the following definitions apply:

(a) "Department" means the department of environmental quality provided for in 2-15-3501.

(b) "Grant recipient" means a city, town, county, consolidated city-county, tribal government, economic development organization, nonprofit organization, or state agency that has received federal brownfields money from the environmental protection agency.

(c) "Person" means an individual, firm, trust, estate, partnership, company, association, joint-stock company, syndicate, consortium, commercial entity, corporation, state government agency, or local government.

(d) "Petroleum brownfields sites" means real property where the expansion, redevelopment, or reuse is or may be complicated by the presence or perceived presence of petroleum contamination.

(e) "Petroleum tank release site" means a site where there has been a release from a petroleum storage tank and assessment, remediation, or both are being pursued in accordance with Title 75, chapter 11, part 3.

(f) "Potentially liable person" means a grant recipient who:

(i) dispensed or disposed of, or owned the site when others dispensed or disposed of, petroleum or petroleum product at the site;

(ii) exacerbated existing petroleum contamination at the site; or

(iii) failed to take reasonable steps with regard to petroleum contamination at the site.

(g) "Reasonable steps" means, as appropriate, stopping continuing releases, preventing threatened future releases, or preventing or limiting human, environmental, or natural resource exposure to earlier petroleum or petroleum product releases. The term may include limiting access to the property, monitoring known contaminants, and complying with state, local, or both state and local requirements.

(h) "Relatively low risk" refers to a petroleum tank release site that is not being assessed, investigated, or cleaned up by the department using funds from the federal leaking underground storage tank trust fund and is not subject to a response under the federal Oil Pollution Act.

(i) "Responsible party" means:

HOUSE JOURNAL  
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2015

(i) a person who is responsible for conducting the assessment, investigation, and cleanup at a petroleum tank release site as determined through:

- (A) a judgment rendered in a court of law or an administrative order;
- (B) an enforcement action by federal authorities or the department; or

(C) a citizen suit, contribution action, or other third-party claim brought against the current owner of the petroleum tank release site; or

(ii) a current owner of a petroleum tank release site who:

(A) dispensed or disposed of petroleum or petroleum product contamination at the site;

(B) exacerbated existing petroleum contamination at the site;

(C) owned the site when any dispensing or disposal of petroleum by others took place; or

(D) failed to take reasonable steps with regard to petroleum contamination at the site.

(j) "Viable responsible party" means a responsible party who is determined by the department in accordance with [section 4] to have the financial capability to conduct the assessment, investigation, or cleanup activities at a petroleum tank release site."

**Insert:**        "NEW SECTION. Section 4. Viability. (1) For the purpose of determining the viability of a responsible party, the department shall presume that:

(a) ongoing businesses or companies and government entities are viable unless there is information suggesting that the presumption is not appropriate and the department determines the information is sufficient to rebut the presumption in a particular case; and

(b) individuals and defunct or insolvent companies are not viable unless there is information suggesting that the presumption is not appropriate and the department determines the information is sufficient to rebut the presumption in a particular case.

(2) The department may not determine that a responsible party is viable based solely on the fact that the owner or operator of the petroleum tank release site is eligible to be reimbursed by the petroleum tank release compensation board established in 2-15-2108 from the petroleum tank release cleanup fund established in 75-11-313.

(3) It is a grant recipient's responsibility to provide the department with sufficient financial information about a responsible party identified in a petroleum brownfields site eligibility application to determine whether the responsible party is a viable responsible party."

**Insert:**        "NEW SECTION. Section 5. Brownfields site eligibility at petroleum tank release sites -- determinations and limitations. (1) Before a grant recipient may expend federal brownfields funds at a petroleum tank release site, either the United States environmental protection agency or the department shall make a written determination that:

(a) the petroleum tank release site is of relatively low risk compared to other petroleum-contaminated sites;

(b) there is no viable responsible party for the petroleum tank release site;

(c) the petroleum tank release site will not be assessed, investigated, or cleaned up by a potentially liable person; and

(d) the petroleum tank release site is not subject to an order under section 9003(h) of the federal Solid Waste Disposal Act 42 U.S.C. 6991b(h) or Title 75, chapter 11.

(2) After the department or the United States environmental protection agency determines

HOUSE JOURNAL  
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2015

that a petroleum tank release site is eligible for federal brownfields funding, the department shall encourage and may not limit the use of a grant recipient's federal petroleum brownfields funding at the site even if the site owner or operator, as defined in 75-11-302, is eligible for funding from the petroleum tank release cleanup fund established in 75-11-313.

(3) The department may not limit the use of money from the petroleum tank release cleanup fund established in 75-11-313 when used as a commitment to a federal brownfields loan made by a grant recipient for remediation at a petroleum tank release site.

(4)(a) Except as provided in subsection (4)(b), a determination made by the department or the United States environmental protection agency that a petroleum tank release site is eligible for federal brownfields funding does not limit or alter the owner's or operator's responsibility to assess or remediate the petroleum tank release site in accordance with Title 75, chapter 11.

(b) If the department determines that a grant recipient has proposed to conduct a timely and comprehensive remediation using federal brownfields funding at a petroleum tank release site that has been determined by the department or the United States environmental protection agency to be eligible for petroleum brownfields funding and the proposed remediation plan is expected to meet or exceed remediation standards required by the department and financial commitments required by the petroleum tank release compensation board pursuant to Title 75, chapter 11, the department shall approve the comprehensive remediation plan and allow for the use of federal brownfields funding at the petroleum tank release site."

**Insert:** "NEW SECTION. Section 6. Use of petroleum brownfields funding acquired by state -- limitations. Prior to expending federal funds awarded to the state for the purpose of assessing or cleaning up petroleum tank release sites that are eligible for petroleum brownfields funding from the United States environmental protection agency under the federal Brownfields Revitalization and Environmental Restoration Act of 2001, Title II of Public Law 107-118, the department shall make a reasonable effort to coordinate with a grant recipient who may intend to expend federal brownfields funding to assess or remediate eligible petroleum brownfields sites in the grant recipient's brownfields target area and to ensure that the grant recipient is not intending to expend petroleum brownfields funding at the same eligible brownfields sites."

**Insert: "Section 7.** Section 75-11-307, MCA, is amended to read:

**"75-11-307. Reimbursement for expenses caused by release.** (1) Subject to the availability of money from the fund under subsection (6), an owner or operator who is eligible under 75-11-308 and who complies with 75-11-309 and any rules adopted to implement those sections must be reimbursed by the board from the fund for the following eligible costs caused by a release from a petroleum storage tank:

(a) corrective action costs as required by a department-approved corrective action plan, except that if the corrective action plan:

(i) addresses releases of substances other than petroleum products from an eligible petroleum storage tank, the board may reimburse only the costs that would have reasonably been incurred if the only release at the site was the release of the petroleum or petroleum products from the eligible petroleum storage tank; or

(ii) includes the establishment of a petroleum mixing zone, as defined in 75-11-503, the board may reimburse the cost of an easement established pursuant to 75-11-508(3)(a); and

(b) compensation paid to third parties for bodily injury or property damage. The board may not reimburse for property damage until the corrective action is completed.

(2) An owner or operator may not be reimbursed from the fund for the following expenses:

HOUSE JOURNAL  
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2015

(a) corrective action costs or the costs of bodily injury or property damage paid to third parties that are determined by the board to be ineligible for reimbursement;

(b) costs for bodily injury and property damage, other than corrective action costs, incurred by the owner or operator;

(c) penalties or payments for damages incurred under actions by the department, board, or federal, state, local, or tribal agencies or other government entities involving judicial or administrative enforcement activities and related negotiations;

(d) attorney fees and legal costs of the owner, the operator, or a third party;

(e) costs for the repair or replacement of a tank or piping or costs of other materials, equipment, or labor related to the operation, repair, or replacement of a tank or piping;

(f) expenses incurred before April 13, 1989, for owners or operators seeking reimbursement from the petroleum tank release cleanup fund and expenses incurred before May 15, 1991, for owners or operators seeking reimbursement from the petroleum tank release cleanup fund for a tank storing heating oil for consumptive use on the premises where it is stored or for a farm or residential tank with a capacity of 1,100 gallons or less that is used for storing motor fuel for noncommercial purposes;

(g) expenses exceeding the maximum reimbursements provided for in subsection (4);

(h) costs for which an owner or operator has received reimbursement or payment from an insurer or other third party, including a grantor; and

(i) expenses for work completed by or on behalf of the owner or operator more than 5 years prior to the owner's or operator's request for reimbursement. This limitation does not apply to claims for compensation paid to third parties for bodily injury or property damage. The running of the 5-year limitation period is suspended by an appeal of the board's denial of eligibility for reimbursement. If a written request for hearing is filed under 75-11-309, the suspension of the 5-year limitation period is effective from the date of the board's initial eligibility denial to the date on which the initial eligibility denial is overturned or reversed by the board, a district court, or the state supreme court, whichever occurs latest. The board may grant reasonable extensions of this limitation period if it is shown that the need for the extension is not due to the negligence of the owner or operator or agent of the owner or operator.

(j) costs that the board has determined are not actual, reasonable, and necessary costs of responding to the release and implementing the corrective action plan, as provided for in 75-11-309, including costs included in a department-approved corrective action plan for the purpose of remediating the release in excess of department standards.

(3) An owner or operator may designate a person, including a grantor, as an agent to receive the reimbursement for eligible costs incurred by the person if the owner or operator remains legally responsible for all costs and liabilities incurred as a result of the release.

(4) Subject to the availability of funds under subsection (6):

(a) for releases eligible for reimbursement from the fund that are discovered and reported on or after April 13, 1989, from a tank storing heating oil for consumptive use on the premises where it is stored or from a farm or residential tank with a capacity of 1,100 gallons or less that is used for storing motor fuel for noncommercial purposes, the board shall reimburse an owner or operator for:

(i) 100% of the eligible costs, up to a maximum total reimbursement of \$500,000, for properly designed and installed double-walled tank system releases that were discovered and reported on or after October 1, 1993, and before October 1, 2009; or

(ii) 50% of the first \$10,000 of eligible costs and 100% of subsequent eligible costs, up to

HOUSE JOURNAL  
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2015

a maximum total reimbursement of \$495,000 for all other releases; and

(b) for all other releases eligible for reimbursement from the fund that are discovered and reported on or after April 13, 1989, the board shall reimburse an owner or operator for:

(i) 100% of the eligible costs, up to a maximum total reimbursement of \$1 million, for properly designed and installed double-walled tank system releases that were discovered and reported on or after October 1, 1993, and before October 1, 2009; or

(ii) 50% of the first \$35,000 of eligible costs and 100% of subsequent eligible costs, up to a maximum total reimbursement of \$982,500 for all other releases.

(5) If an insurer or grantor pays or reimburses an owner or operator for costs that qualify as eligible costs under subsection (1), the costs paid or reimbursed by the insurer or grantor:

(a) are considered to have been paid by the owner or operator toward satisfaction of the 50% share requirements of subsection (4)(a)(ii) or (4)(b)(ii) if the owner or operator receives the payment or reimbursement before applying for reimbursement from the board;

(b) are not reimbursable from the fund unless the grantor is designated by the owner or operator as an agent to receive the reimbursement for eligible costs incurred by the grantor; and

(c) except for the amount considered to have been paid by the owner or operator pursuant to subsection (5)(a), are considered to have been reimbursed from the fund for purposes of determining when the board has paid the maximum amount payable from the fund under subsection (4)(a)(ii) or (4)(b)(ii).

(6) If the fund does not contain sufficient money to pay approved claims for eligible costs, a reimbursement may not be made and the fund and the board are not liable for making any reimbursement for the costs at that time. When the fund contains sufficient money, eligible costs must be reimbursed subsequently in the order in which they were approved by the board."

**Insert: "Section 8.** Section 75-11-309, MCA, is amended to read:

**"75-11-309. Procedures for reimbursement of eligible costs -- corrective action plans.**

(1) An owner or operator seeking reimbursement for eligible costs and the department shall comply with the following procedures:

(a) If an owner or operator discovers or is provided evidence that a release may have occurred from the owner's or operator's petroleum storage tank, the owner or operator shall immediately notify the department of the release and conduct an initial response to the release in accordance with state and federal laws and rules to protect the public health and safety and the environment.

(b) Except for a tank for which a permit is sought under 75-11-308(1)(b)(iii) and that is closed within 120 days of discovery of the release, following discovery of the release, the petroleum storage tank must remain in compliance with applicable state and federal laws and rules that the board determines pertain to prevention and mitigation of petroleum releases.

(c) The owner or operator shall conduct a thorough investigation of the release, report the findings to the department, and, as determined necessary by the department, prepare and submit for approval by the department a corrective action plan that conforms with state, tribal (when applicable), and federal corrective action requirements.

(d) (i) The department shall review the corrective action plan and forward a copy to a local government office and, when applicable, a tribal government office with jurisdiction over a corrective action for the release. The local or tribal government office shall inform the department if it wants any modification of the proposed plan.

HOUSE JOURNAL  
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2015

(ii) Based on its own review and comments received from a local government, tribal government, or other source, the department, subject to [section 5(4)(b)], may approve the proposed corrective action plan, make or request the owner or operator to modify the proposed plan, or prepare its own plan for compliance by the owner or operator. A plan finally approved by the department through any process provided in this subsection (1)(d) is the approved corrective action plan.

(iii) After the department approves a corrective action plan, a local government or tribal government may not impose different corrective action requirements on the owner or operator.

(e) A corrective action plan prepared by the owner, operator, or department for any petroleum storage tank release may include the establishment of a petroleum mixing zone as defined in 75-11-503.

(f) The department shall notify the owner or operator of its approval of a corrective action plan and shall promptly submit a copy of the approved corrective action plan to the board. Upon review, the board may request that the corrective action plan be amended pursuant to 75-11-508 to include a petroleum mixing zone. If the department finds that the conditions for establishment of a petroleum mixing zone in 75-11-508 are satisfied, the corrective action plan must be amended to include a petroleum mixing zone.

(g) The owner or operator shall implement the corrective action plan or plans approved by the department until the release is resolved. The department may oversee the implementation of the plan, require reports and monitoring from the owner or operator, undertake inspections, and otherwise exercise its authority concerning corrective action under Title 75, chapter 10, part 7, Title 75, chapter 11, part 5, and other applicable law and rules.

(h) (i) The owner or operator shall document in the manner required by the board all expenses incurred in preparing and implementing the corrective action plan. The owner or operator shall submit claims and substantiating documents to the board in the form and manner required by the board.

(ii) The board shall review each claim and determine if the claims are actual, reasonable, and necessary costs of responding to the release and implementing the corrective action plan.

(iii) If the board requires additional information to determine if a claimed cost is actual, reasonable, and necessary, the board may request comment from the department and the owner or operator.

(iv) If the department determines that an owner or operator is failing to properly implement a corrective action plan, it shall notify the board.

(i) The owner or operator shall document, in the manner required by the board, any payments to a third party for bodily injury or property damage caused by a release. The owner or operator shall submit claims and substantiating documents to the board in the form and manner required by the board.

(j) In addition to the documentation in subsections (1)(h) and (1)(i), when the release is claimed to have originated from a properly designed and installed double-walled tank system, the owner or operator shall document, in the manner required by the board, the following:

(i) the date that the release was discovered; and

(ii) that the originating tank was part of a properly designed and installed double-walled tank system.

(2) If an owner or operator is issued an administrative order for failure to comply with requirements imposed by or pursuant to Title 75, chapter 11, part 5, or rules adopted pursuant to

HOUSE JOURNAL  
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2015

Title 75, chapter 11, part 5, all reimbursement of claims submitted after the date of the order must be suspended. Upon a written determination by the department that the owner or operator has returned to compliance with the requirements of Title 75, chapter 11, part 5, or rules adopted pursuant to Title 75, chapter 11, part 5, suspended and future claims may be reimbursed according to criteria established by the board. In establishing the criteria, the board shall consider the effect and duration of the noncompliance.

(3) The board shall review each claim received under subsections (1)(h) and (1)(i), make the determination required by this subsection, inform the owner or operator of its determination, and, as appropriate, reimburse the owner or operator from the fund. Before approving a reimbursement, the board shall affirmatively determine that:

- (a) the expenses for which reimbursement is claimed:
  - (i) are eligible costs; and
  - (ii) were actually, necessarily, and reasonably incurred for the preparation or implementation of a corrective action plan approved by the department or for payments to a third party for bodily injury or property damage; and
- (b) the owner or operator:
  - (i) is eligible for reimbursement under 75-11-308; and
  - (ii) has complied with this section and any rules adopted pursuant to this section. Upon a determination by the board that the owner or operator has not complied with this section or rules adopted pursuant to this section, all reimbursement of pending and future claims must be suspended. Upon a determination by the board that the owner or operator has returned to compliance with this section or rules adopted pursuant to this section, suspended and future claims may be reimbursed according to criteria established by the board. In establishing the criteria, the board shall consider the effect and duration of the noncompliance.

(4) (a) If an owner or operator disagrees with a board determination under subsection (3), the owner or operator may submit a written request for a hearing before the board.

(b) A written request for a hearing must be received by the board within 120 days after notice of the board's determination is served on the owner or operator by certified mail. The notice of determination must advise the owner or operator of the 120-day time limit for submitting a written request for a hearing to the board. Not less than 50 days or more than 60 days after the board serves the notice of determination, the board shall serve on the owner or operator a second notice by certified mail advising the owner or operator of the deadline for requesting a hearing. Service by certified mail is complete on the date shown on the certified mail receipt.

(c) If a written request is received within 120 days, the hearing must be held at a meeting of the board or as otherwise permitted under the Montana Administrative Procedure Act no later than 120 days following receipt of the request or at a time mutually agreed to by the board and the owner or operator.

(d) If a written request is not received within 120 days, the determination of the board is final.

(5) The board shall obligate money for reimbursement of eligible costs of owners and operators in the order that the costs are finally approved by the board.

(6) (a) The board may, at the request of an owner or operator, guarantee in writing the reimbursement of eligible costs that have been approved by the board but for which money is not currently available from the fund for reimbursement.

HOUSE JOURNAL  
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2015

(b) The board may, at the request of an owner or operator, guarantee in writing reimbursement of eligible costs not yet approved by the board, including estimated costs not yet incurred. A guarantee for payment under this subsection (6)(b) does not affect the order in which money in the fund is obligated under subsection (5).

(c) When considering a request for a guarantee of payment, the board may require pertinent information or documentation from the owner or operator. The board may grant or deny, in whole or in part, any request for a guarantee."

**Insert:** "NEW SECTION. Section 9. Codification instruction. [Sections 1 through 6] are intended to be codified as an integral part of Title 75, chapter 11, and the provisions of Title 75, chapter 11, apply to [sections 1 through 6]."

**Insert:** "NEW SECTION. Section 10. Saving clause. [This act] does not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun before [the effective date of this act]."

**Insert:** "NEW SECTION. Section 11. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

**Insert:** "NEW SECTION. Section 12. Effective date. [This act] is effective on passage and approval."

And, as amended, be concurred in. Report adopted.

**SB 361**, be concurred in. Report adopted.

**STATE ADMINISTRATION** (Essmann, Chair):

3/31/2015

**HJR 23**, introduced joint resolution, be amended as follows:

1. Page 1, line 14.

**Strike:** "despite the comprehensive scope of HB 84,"

2. Page 1, line 21 through line 23.

**Strike:** lines 21 through 23 in their entirety

**Insert:** "WHEREAS, there was a large number of election-related bills and a limited timeframe that the Legislature's standing committees had to consider the proposed changes; and  
WHEREAS, the Legislature should study any concerns raised about the consistency and security of Montana's election process; and"

And, as amended, be adopted. Report adopted.

**MESSAGES FROM THE SENATE**

**House bills not** concurred in and returned to the House:

3/28/2015

**HB 256**, introduced by Monforton

**HB 297**, introduced by Court



HOUSE JOURNAL  
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2015

**Senate bills** passed and transmitted to the House for concurrence:

3/28/2015

**SB 157**, introduced by Tutvedt

**SB 290**, introduced by Keane

**SB 402**, introduced by Ankney

**MESSAGES FROM THE GOVERNOR**

March 30, 2015

The Honorable Austin Knudsen  
Speaker of the House  
State Capitol  
Helena, Montana 59620

Dear Speaker Knudsen:

Please be informed that I have signed **House Bill 12** sponsored by Representative Hill, **House Bill 54** sponsored by Representative Person, **House Bill 95** sponsored by Representative McCarthy, **House Bill 124** sponsored by Representative McKamey, **House Bill 132** sponsored by Representative Garner, **House Bill 162** sponsored by Representative Schwaderer, and **House Bill 233** sponsored by Representative Tropila on March 30, 2015.

Sincerely,  
STEVE BULLOCK  
Governor

March 31, 2015

The Honorable Austin Knudsen  
Speaker of the House  
State Capitol  
Helena, Montana 59620

Dear Speaker Knudsen:

Please be informed that I have signed **House Bill 279** sponsored by Representative Essmann, **House Bill 355** sponsored by Representative Doane, **House Bill 390** sponsored by Representative Lang, **House Bill 412** sponsored by Representative Zolnikov, and **House Bill 414** sponsored by Representative Lang on March 31, 2015.

Sincerely,  
STEVE BULLOCK  
Governor

HOUSE JOURNAL  
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2015

Representative McCarthy rose on a **Point of Personal Privilege**. He stated that during the previous day's debate on the tax credit bill, he quoted some percentage numbers which were incorrect and apologized for any confusion that he may have caused.

**FIRST READING AND COMMITMENT OF BILLS**

The following House joint resolution was introduced, read first time, and referred to committee:

**HJR 27**, introduced by B. Tschida, referred to Appropriations.

The following Senate bills were introduced, read first time, and referred to committees:

**SB 157**, introduced by B. Tutvedt, referred to Taxation.

**SB 290**, introduced by J. Keane, referred to Transportation.

**SB 402**, introduced by D. Ankney, J. Keane, referred to Federal Relations, Energy, and Telecommunications.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Jacobson in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**SB 258** - Majority Leader Regier moved consideration of **SB 258** be passed for the day. Motion carried.

**SB 99** - Representative D. Moore moved **SB 99** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, B. Brown, Z. Brown, Clark, Cook, Cuffe, Curdy, Custer, Doane, Dudik, Ehli, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, Manzella, McClafferty, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Perry, Pierson, Pope, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Welborn, White, Williams, Wilson, Wittich, Zolnikov, Mr. Speaker.

Total 73

Nays: B. Bennett, Brodehl, Burnett, Court, Dunwell, Eck, Ellis, Essmann, Funk, Hill, Hunter, Karjala, Kelker, Kipp III, MacDonald, McCarthy, McConnell, Mehlhoff, Noonan, Pease-Lopez,

HOUSE JOURNAL  
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2015

Peppers, Person, Pinocci, Price, Smith, Webber, Woods.

Total 27

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 143** - Representative Berglee moved **SB 143** be concurred in. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 49

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 51

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 168** - Representative McKamey moved **SB 168** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 97

HOUSE JOURNAL  
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2015

Nays: Essmann, Miller, Schwaderer.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 191** - Representative Lynch moved **SB 191** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 88

Nays: Brodehl, B. Brown, Burnett, Glimm, Jones, Lamm, Noland, Peppers, Pinocci, Schwaderer, Tschida, Wagoner.

Total 12

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 209** - Representative Zolnikov moved **SB 209** be concurred in.

**SB 209** - Representative MacDonald moved **SB 209**, second reading copy, be amended as follows:

1. Page 2, line 13.

**Strike:** "OR"

2. Page 2, line 15.

**Following:** "HEARING"

**Strike:** "."

**Insert:** "; or"

(d) for the purposes of improving motor vehicle safety, security, or traffic management

HOUSE JOURNAL  
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2015

and provided that the identity of the owner or driver is not disclosed in connection with that retrieved data. For purposes of this subsection (1)(d), the disclosure of the vehicle identification number with the last 6 digits deleted does not constitute disclosure of the identity of the owner or driver."

Amendment adopted as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 52

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 48

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 209** - Representative Zolnikov moved **SB 209**, as amended, be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Z. Brown, Cuffe, Fiscus, Hess, Mortensen.

Total 5

HOUSE JOURNAL  
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 224** - Representative Doane moved **SB 224** be concurred in.

**SB 224** - Representative Brodehl moved **SB 224**, second reading copy, be amended as follows:

1. Title, line 6.

**Following:** "COMMISSION;"

**Insert:** "PROVIDING AN APPROPRIATION;"

**Strike:** "AN IMMEDIATE"

**Strike:** "DATE"

**Insert:** "DATES"

2. Page 1, line 12.

**Following:** "for"

**Insert:** "staffing services and"

3. Page 2, line 19.

**Strike:** "SHALL SERVE WITHOUT COMPENSATION BUT"

**Insert:** "must be compensated as provided in 2-15-124, and"

4. Page 2, line 22.

**Following:** "COMPENSATION."

**Insert:** "Legislator members must be compensated as provided in 5-2-302."

5. Page 3, line 12.

**Insert:** "NEW SECTION. Section 3. Appropriation. There is appropriated \$28,000 from the general fund to the legislative services division for fiscal years 2016 and 2017 for the purposes of funding the commission and the study as provided in [section 1 ]."

**Renumber:** subsequent sections

6. Page 3, line 17.

**Strike:** "date"

**Insert:** "dates"

**Strike:** "[This act]"

**Insert:** "(1) Except as provided in subsection (2), [this act]"

7. Page 3, line 18.

**Insert:** "(2) [Section 3] is effective July 1, 2015."

HOUSE JOURNAL  
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2015

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 98

Nays: Mandeville.  
Total 1

Excused: None.  
Total 0

Absent or not voting: White.  
Total 1

**SB 224** - Representative Doane moved **SB 224**, as amended, be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 99

Nays: Mandeville.  
Total 1

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2015

**SB 238** - Representative Garner moved **SB 238** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Brodehl, B. Brown, Burnett.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 249** - Representative Z. Brown moved **SB 249** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 76

Nays: J. Bennett, Berglee, Brodehl, B. Brown, Doane, Fitzpatrick, Glimm, Harris, Jones, Lamm, Laszloffy, Mandeville, Manzella, Miller, Monforton, Mortensen, Noland, Pinocci, Regier, Ricci, Schwaderer, Staffanson, White, Mr. Speaker.

Total 24

Excused: None.

Total 0

Absent or not voting: None.

Total 0



HOUSE JOURNAL  
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2015

**SB 255** - Representative Redfield moved **SB 255** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 91

Nays: Brodehl, Burnett, Essmann, Miller, Peppers, Smith, Staffanson, Wittich, Zolnikov.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 261** - Representative Lang moved **SB 261** be concurred in.

**SB 261** - Representative Lang moved **SB 261**, second reading copy, be amended as follows:

1. Page 9, line 23.

**Strike:** "STATE"

**Insert:** "States"

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

HOUSE JOURNAL  
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2015

Nays: Mandeville.

Total 1

Excused: Brodehl.

Total 1

Absent or not voting: None.

Total 0

**SB 261** - Representative Lang moved **SB 261**, as amended, be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 78

Nays: J. Bennett, Berglee, Brodehl, B. Brown, Essmann, Garner, Hess, Lamm, Lavin, Mandeville, Manzella, Meyers, Monforton, Mortensen, Pinocci, Ricci, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 22

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 295** - Representative Berglee moved **SB 295** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Dudik, Eck, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jacobson, Jones, Kelker, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McCarthy, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Perry, Person, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 71

HOUSE JOURNAL  
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2015

Nays: B. Bennett, Z. Brown, Court, Curdy, Dunwell, Ellis, Funk, Hayman, Hunter, Karjala, Kipp III, Lieser, MacDonald, McClafferty, McConnell, Pease-Lopez, Peppers, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 28

Excused: None.

Total 0

Absent or not voting: Welborn.

Total 1

**SB 333** - Representative White moved **SB 333** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Funk, Hess, Olsen, Staffanson, Williams.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 385** - Representative Manzella moved **SB 385** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Smith, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 55

HOUSE JOURNAL  
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2015

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 45

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Jacobson moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, J. Bennett, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: B. Bennett, Berglee, Funk, Glimm, Perry.

Total 5

Excused: Brodehl, Fitzpatrick.

Total 2

Absent or not voting: Steenberg.

Total 1

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 4** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett,

HOUSE JOURNAL  
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2015

Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 89

Nays: Essmann, Glimm, Hayman, Kelker, Lamm, McConnell, Staffanson, White, Wittich, Zolnikov.

Total 10

Excused: Fitzpatrick.

Total 1

Absent or not voting: None.

Total 0

**HB 6** passed as follows:

Yeas: Ballance, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McCarthy, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, J. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 41

Excused: Fitzpatrick.

Total 1

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2015

**HB 7** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 41

Excused: Fitzpatrick.

Total 1

Absent or not voting: None.

Total 0

**HB 8 failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Tschida, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.

Total 57

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Monforton, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods.

Total 42

Excused: Fitzpatrick.

Total 1

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2015

**HB 10** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Woods, Mr. Speaker.

Total 83

Nays: J. Bennett, B. Brown, Doane, Glimm, Harris, Lamm, Lang, Monforton, Noland, Pinocci, Redfield, Schwaderer, Staffanson, Welborn, Wittich, Zolnikov.

Total 16

Excused: Fitzpatrick.

Total 1

Absent or not voting: None.

Total 0

**HB 11** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Mr. Speaker.

Total 57

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Zolnikov.

Total 42

Excused: Fitzpatrick.

Total 1

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2015

**HB 219** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Dudik, Ehli, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hollandsworth, Holmlund, Jacobson, Jones, Karjala, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Peppers, Perry, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wittich, Zolnikov, Mr. Speaker.  
Total 79

Nays: Court, Dunwell, Eck, Ellis, Hess, Hill, Hunter, Kelker, Lieser, MacDonald, McConnell, Noonan, Olsen, Pease-Lopez, Person, Pope, Price, Steenberg, Wilson, Woods.  
Total 20

Excused: Fitzpatrick.  
Total 1

Absent or not voting: None.  
Total 0

**HB 234** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 56

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 43

Excused: Fitzpatrick.  
Total 1

Absent or not voting: None.  
Total 0



HOUSE JOURNAL  
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2015

**HB 305** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 93

Nays: B. Brown, Monforton, Schwaderer, Staffanson, Wittich, Zolnikov.

Total 6

Excused: Fitzpatrick.

Total 1

Absent or not voting: None.

Total 0

**HB 356** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 96

Nays: B. Brown, Burnett, Zolnikov.

Total 3

Excused: Fitzpatrick.

Total 1

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2015

**HB 403** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Shaw, Tschida, Wagoner, Welborn, White, Wittich, Mr. Speaker.

Total 55

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Schwaderer, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Zolnikov.

Total 44

Excused: Fitzpatrick.

Total 1

Absent or not voting: None.

Total 0

**HB 604** passed as follows:

Yeas: B. Bennett, Berry, Brodehl, Z. Brown, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Funk, Garner, Greef, Hagstrom, Hayman, Hill, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Webber, Welborn, Wilson, Woods.

Total 57

Nays: Ballance, J. Bennett, Berglee, B. Brown, Burnett, Clark, Cook, Doane, Flynn, Glimm, Harris, Hertz, Hess, Hollandsworth, Holmlund, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tropila, Tschida, Wagoner, White, Williams, Wittich, Zolnikov, Mr. Speaker.

Total 42

Excused: Fitzpatrick.

Total 1

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2015

**HB 606** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 86

Nays: J. Bennett, Brodehl, B. Brown, Essmann, Glimm, Harris, Lamm, Monforton, Olszewski, Schwaderer, White, Wittich, Zolnikov.

Total 13

Excused: Fitzpatrick.

Total 1

Absent or not voting: None.

Total 0

**HB 621 failed** as follows:

Yeas: B. Bennett, Berry, Z. Brown, Burnett, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Garner, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Schwaderer, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Zolnikov.

Total 48

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Clark, Cook, Cuffe, Custer, Doane, Ehli, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Mr. Speaker.

Total 51

Excused: Fitzpatrick.

Total 1

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2015

**HB 341** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 81

Nays: J. Bennett, Brodehl, Burnett, Cuffe, Jones, Lamm, Lang, Manzella, McKamey, Monforton, Redfield, Regier, Ricci, Schwaderer, Wagoner, Welborn, Wittich, Zolnikov.  
Total 18

Excused: Fitzpatrick.  
Total 1

Absent or not voting: None.  
Total 0

**HB 627** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Perry, Person, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 88

Nays: Dunwell, Funk, Hill, Karjala, Lynch, Pease-Lopez, Peppers, Pope, Price, Schreiner, Wilson.  
Total 11

Excused: Fitzpatrick.  
Total 1

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2015

**HB 637** passed as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Funk, Garner, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 61

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Ehli, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Mandeville, Manzella, McKamey, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Redfield, Regier, Ricci, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 38

Excused: Fitzpatrick.

Total 1

Absent or not voting: None.

Total 0

**HB 416** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 94

Nays: Burnett, Harris, Lamm, Tschida, Zolnikov.

Total 5

Excused: Fitzpatrick.

Total 1

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2015

**HB 421** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hollandsworth, Holmlund, Jacobson, Jones, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lynch, Mandeville, McCarthy, McKamey, Mehlhoff, Meyers, Moore, Mortensen, Noonan, Osmundson, Peppers, Perry, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Tropila, Welborn, White, Mr. Speaker.

Total 58

Nays: B. Bennett, B. Brown, Z. Brown, Burnett, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hess, Hill, Hunter, Karjala, Lamm, Lieser, MacDonald, Manzella, McClafferty, McConnell, Miller, Monforton, Noland, Olsen, Olszewski, Pease-Lopez, Person, Pope, Price, Steenberg, Swanson, Tschida, Wagoner, Webber, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 41

Excused: Fitzpatrick.

Total 1

Absent or not voting: None.

Total 0

**HB 472** passed as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 86

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Glimm, Lamm, Laszloffy, Manzella, Monforton, Noland, Pinocci, Schwaderer, Wittich.

Total 13

Excused: Fitzpatrick.

Total 1

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2015

**HB 510** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dunwell, Eck, Ehli, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 92

Nays: Dudik, Ellis, Peppers, Smith, Tropila, Williams, Wilson.  
Total 7

Excused: Fitzpatrick.  
Total 1

Absent or not voting: None.  
Total 0

**HB 596** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 52

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 47

Excused: Fitzpatrick.  
Total 1

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2015

**HB 599** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 97

Nays: Olsen, Wilson.  
Total 2

Excused: Fitzpatrick.  
Total 1

Absent or not voting: None.  
Total 0

**HB 607** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 99

Nays: None.  
Total 0

Excused: Fitzpatrick.  
Total 1

Absent or not voting: None.  
Total 0



HOUSE JOURNAL  
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2015

**HB 612** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Wittich.

Total 1

Excused: Fitzpatrick.

Total 1

Absent or not voting: None.

Total 0

**HB 614** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 54

Nays: B. Bennett, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 45

Excused: Fitzpatrick.

Total 1

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2015

**HB 617** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Regier, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 90

Nays: B. Brown, Burnett, Glimm, Lamm, Laszloffy, Monforton, Pinocci, Redfield, Ricci.

Total 9

Excused: Fitzpatrick.

Total 1

Absent or not voting: None.

Total 0

**HB 628** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Cook.

Total 1

Excused: Fitzpatrick.

Total 1

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2015

**MOTIONS**

Majority Leader Regier moved **SB 99** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **SB 261** be moved from the Committee of the Whole to the Appropriations Committee.

Representative Dudik moved to change their vote on **HB 612** from Not Voting to Yes. Without objection, so ordered.

Representative Shaw moved to change their vote on **HB 599** from No to Yes. Without objection, so ordered.

Representative Staffanson moved to change their vote on **HB 4** from Yes to No. Without objection, so ordered.

**SPECIAL ORDERS OF THE DAY**

Representative Hollandsworth asked the members to rise in recognition of the World War II Veterans being honored March 31, 2015, in the Capitol Rotunda.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Wednesday, April 1, 2015. Motion carried.

House adjourned at 3:03 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
SIXTY-EIGHTH LEGISLATIVE DAY**

Helena, Montana  
April 1, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Hess. Pledge of Allegiance to the Flag. Roll Call. All members present, except Representatives Fiscus and Schwaderer, excused. Quorum present.

**BILLS** (Welborn, Chair):

4/1/2015

Correctly printed: **SB 308**.

Correctly engrossed: **SB 91, SB 100, SB 169, SB 175, SB 283, SB 284**.

Correctly enrolled: **HB 400**.

Transmitted to the Senate: **SB 168, SB 191, SB 209, SB 224, SB 238, SB 249, SB 255, SB 295, SB 333, SB 385**.

Signed by the Speaker at 3:00 p.m., April 1, 2015: **HB 68, HB 209, HB 288, HB 290, HB 342, HB 529, HB 564, HB 580, HB 584**.

Signed by the Chief Clerk of the House at 5:00 p.m., April 1, 2015: **HB 68, HB 209, HB 288, HB 290, HB 342, HB 529, HB 564, HB 580, HB 584**.

Delivered to the Governor for approval at 8:55 a.m., April 1, 2015: **HB 99, HB 168, HB 315, HB 324, HB 363, HB 431, HB 536, HB 555, HB 573**.

**COMMUNICATIONS AND PETITIONS**

Mr. Speaker: We, your committee on Legislative Administration, having examined the daily journals for the fifty-sixth, fifty-seventh, fifty-eighth, and sixtieth legislative days, find the same to be correct.

Representative Welborn, Chair

**REPORTS OF STANDING COMMITTEES**

**AGRICULTURE** (Redfield, Chair):

3/31/2015

**SB 100**, be amended as follows:

1. Page 1, line 17.

**Following:** "state"

**Insert:** "or appears to be contained for commercial hunting or trapping"

And, as amended, be concurred in. Report adopted.

**SB 284**, be amended as follows:

1. Title, page 1, line 7.

**Following:** "SECTIONS"

**Insert:** "7-1-111,"

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - APRIL 1, 2015

2. Title, page 1, line 7.

**Following:** "DATE"

**Insert:** "AND AN APPLICABILITY DATE"

3. Page 1, line 22.

**Following:** line 21

**Insert:** "(3) The provisions of this section do not apply to proposals made by the department of livestock or the department of fish, wildlife, and parks under 81-2-120 or 87-1-216 to transplant or relocate wild buffalo or wild bison certified by the state veterinarian as brucellosis-free to a qualified tribal entity pursuant to 81-2-120(1)(a)(ii)."

4. Page 1, line 22.

**Following:** line 21

**Insert:** "Section 2. Section 7-1-111, MCA, is amended to read:

**"7-1-111. Powers denied.** A local government unit with self-government powers is prohibited from exercising the following:

(1) any power that applies to or affects any private or civil relationship, except as an incident to the exercise of an independent self-government power;

(2) any power that applies to or affects the provisions of 7-33-4128 or Title 39 (labor, collective bargaining for public employees, unemployment compensation, or workers' compensation), except that subject to those provisions, it may exercise any power of a public employer with regard to its employees;

(3) any power that applies to or affects the public school system, except that a local unit may impose an assessment reasonably related to the cost of any service or special benefit provided by the unit and shall exercise any power that it is required by law to exercise regarding the public school system;

(4) any power that prohibits the grant or denial of a certificate of public convenience and necessity;

(5) any power that establishes a rate or price otherwise determined by a state agency;

(6) any power that applies to or affects any determination of the department of environmental quality with regard to any mining plan, permit, or contract;

(7) any power that applies to or affects any determination by the department of environmental quality with regard to a certificate of compliance;

(8) any power that defines as an offense conduct made criminal by state statute, that defines an offense as a felony, or that fixes the penalty or sentence for a misdemeanor in excess of a fine of \$500, 6 months' imprisonment, or both, except as specifically authorized by statute;

(9) any power that applies to or affects the right to keep or bear arms, except that a local government has the power to regulate the carrying of concealed weapons;

(10) any power that applies to or affects a public employee's pension or retirement rights as established by state law, except that a local government may establish additional pension or retirement systems;

(11) any power that applies to or affects the standards of professional or occupational competence established pursuant to Title 37 (professions and occupations) as prerequisites to the carrying on of a profession or occupation;

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - APRIL 1, 2015

(12) except as provided in 7-3-1105, 7-3-1222, [section 1], or 7-31-4110, any power that applies to or affects Title 75, chapter 7, part 1 (streambeds), or Title 87 (fish and wildlife);

(13) any power that applies to or affects landlords, as defined in 70-24-103, when that power is intended to license landlords or to regulate their activities with regard to tenants beyond what is provided in Title 70, chapters 24 and 25. This subsection is not intended to restrict a local government's ability to require landlords to comply with ordinances or provisions that are applicable to all other businesses or residences within the local government's jurisdiction.

(14) subject to 7-32-4304, any power to enact ordinances prohibiting or penalizing vagrancy;

(15) subject to 80-10-110, any power to regulate the registration, packaging, labeling, sale, storage, distribution, use, or application of commercial fertilizers or soil amendments, except that a local government may enter into a cooperative agreement with the department of agriculture concerning the use and application of commercial fertilizers or soil amendments. This subsection is not intended to prevent or restrict a local government from adopting or implementing zoning regulations or fire codes governing the physical location or siting of fertilizer manufacturing, storage, and sales facilities;

(16) any power that prohibits the operation of a mobile amateur radio station from a motor vehicle, including while the vehicle is in motion, that is operated by a person who holds an unrevoked and unexpired official amateur radio station license and operator's license, "technician" or higher class, issued by the federal communications commission of the United States;

(17) subject to 76-2-240 and 76-2-340, any power that prevents the erection of an amateur radio antenna at heights and dimensions sufficient to accommodate amateur radio service communications by a person who holds an unrevoked and unexpired official amateur radio station license and operator's license, "technician" or higher class, issued by the federal communications commission of the United States."

**Renumber:** subsequent sections

5. Page 5, line 10.

**Following:** "(b)"

**Strike:** "pursuant to [section 1]"

**Insert:** "except for a transfer to a qualified tribal entity pursuant to 81-2-120(1)(a)(ii)"

6. Page 5, line 12.

**Following:** "counties"

**Insert:** "pursuant to [section 1]"

7. Page 7, line 3.

**Following:** line 2

**Insert:** "NEW SECTION. Section 10. Applicability. [This act] applies to releases, transplantations, relocations, or transfers of wild buffalo or wild bison on or after [the effective date of this act]."

And, as amended, be concurred in. Report adopted.

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - APRIL 1, 2015

**STATE ADMINISTRATION** (Essmann, Chair):  
**SB 169**, be amended as follows:

4/1/2015

1. Page 3.

**Following:** line 11

**Insert:** "COORDINATION SECTION. **Section 4. Coordination instruction.** If both Senate Bill No. 279 and [this act] are passed and approved, then Senate Bill No. 279 is void."

**Renumber:** subsequent section

And, as amended, be concurred in. Report adopted.

**SB 283**, be amended as follows:

1. Title, line 7 through line 13.

**Following:** "ALLOWING" on line 7

**Strike:** remainder of line 7 through "MCA" on line 13

**Insert:** "FOR REIMBURSEMENT OF CONSTITUENT SERVICES EXPENSES NOT PAID  
FROM A CONSTITUENT SERVICES ACCOUNT"

**Strike:** "AN IMMEDIATE" on line 13

**Insert:** "A DELAYED"

2. Title, line 14.

**Strike:** "AND" through "DATE"

3. Page 1, line 17 through page 4, line 21.

**Strike:** everything after the enacting clause

**Insert:** "NEW SECTION. **Section 1. Constituent services reimbursement.** (1)  
Subject to subsection (3), legislators are allowed reimbursement of up to \$3,000 in a biennium for:

(a) otherwise unreimbursed expenses related to the legislator's expenses for mileage, meals, or lodging at rates provided for in 2-18-501 through 2-18-503 incurred for providing constituent services; and

(b) communication and information technology expenses, such as expenses for telecommunications or internet, computer hardware and software, postage, and education-related expenses to represent and serve constituents.

(2) Legislators must apply for reimbursement to the legislative services division and must submit:

(a) written documentation that satisfies applicable requirements of Title 2, chapter 18, part 5, for expenses provided in subsection (1)(a); and

(b) itemized receipts for the expenses provided in subsection (1)(b).

(3) Legislators may not be reimbursed for expenses paid from a constituent services account provided for in 13-37-402."

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - APRIL 1, 2015

**Insert:**           "NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 5, chapter 2, part 2, and the provisions of Title 5, chapter 2, part 2, apply to [section 1]."

**Insert:**           "NEW SECTION. Section 3. Effective date. [This act] is effective July 1, 2017."

And, as amended, be concurred in. Report adopted.

**TAXATION** (Miller, Chair):  
**SB 91**, be amended as follows:

4/1/2015

1. Page 3, line 7.

**Strike:** "The"

**Insert:** "Except as provided in subsection (3)(c), the"

2. Page 3, line 9.

**Strike:** "IF" through "5000A(G)"

3. Page 3, line 17.

**Following:** line 16

**Insert:** "(c) Taxes or debts that cannot be lienied or levied upon pursuant to 26 U.S.C. 5000A(g) must be excluded from the offset."

**Renumber:** subsequent subsections

4. Page 3, line 20.

**Strike:** "(3)(c)(i)"

**Insert:** "(3)(d)(i)"

5. Page 3, line 24.

**Strike:** "(3)(c)(i)"

**Insert:** "(3)(d)(i)"

6. Page 3, line 28.

**Strike:** "(3)(c)(i)"

**Insert:** "(3)(d)(i)"

And, as amended, be concurred in. Report adopted.

**SB 175**, be amended as follows:

1. Page 1, line 17.

**Following:** "individual"

**Insert:** "or family"



HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - APRIL 1, 2015

2. Page 2, line 1.

**Following:** "individual"

**Insert:** "or family"

3. Page 2, line 24.

**Following:** "individual"

**Insert:** "or family"

And, as amended, be concurred in. Report adopted.

**SB 308**, be concurred in. Report adopted.

**MESSAGES FROM THE SENATE**

**House bills** concurred in as amended and returned to the House for concurrence in Senate amendments:

3/31/2015

**HB 28**, introduced by Eck

**HB 101**, introduced by Steenberg

**HB 284**, introduced by Dudik

**HB 330**, introduced by Schwaderer

**HB 373**, introduced by Staffanson

**HB 503**, introduced by Berry

**HB 533**, introduced by Wagoner

**HB 554**, introduced by Pierson

**House bills** concurred in and returned to the House:

3/31/2015

**HB 68**, introduced by Kelker

**HB 209**, introduced by Schreiner

**HB 288**, introduced by Richmond

**HB 290**, introduced by White

**HB 331**, introduced by Schwaderer

**HB 342**, introduced by B. Bennett

**HB 529**, introduced by Court

**HB 564**, introduced by Person

**HB 580**, introduced by B. Bennett

**HB 584**, introduced by Pinocci

**House bill** concurred in and returned to the House:

4/1/2015

**HB 400**, introduced by Custer

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - APRIL 1, 2015

**SB 416**, introduced by Brenden, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the Senate and was transmitted to the House with the following vote:

3/31/2015

Yeas - 47

Nays - 3

**Senate bills** passed and transmitted to the House for concurrence:

3/31/2015

**SB 20**, introduced by Vincent  
**SB 193**, introduced by Tutvedt  
**SB 194**, introduced by Caferro  
**SB 212**, introduced by Sales  
**SB 264**, introduced by Keenan  
**SB 279**, introduced by Hamlett  
**SB 326**, introduced by Hinkle  
**SB 386**, introduced by Cohenour  
**SB 394**, introduced by Blasdel  
**SB 395**, introduced by Blasdel  
**SB 396**, introduced by Buttrey  
**SB 398**, introduced by Keane  
**SB 399**, introduced by Thomas  
**SB 401**, introduced by Caferro  
**SB 403**, introduced by Webb  
**SB 405**, introduced by Buttrey  
**SB 409**, introduced by Vincent  
**SB 410**, introduced by L. Jones  
**SB 411**, introduced by Caferro  
**SB 414**, introduced by Buttrey  
**SB 418**, introduced by L. Jones

**MESSAGES FROM THE GOVERNOR**

April 1, 2015

The Honorable Debby Barrett, President of the Senate  
The Honorable Austin Knudsen, Speaker of the House  
State Capitol  
Helena, MT 59620

Dear President Barrett and Speaker Knudsen:

I received word that in an attempt to avoid embarrassment on the basketball court, the Legislature decided to extend the Easter break and run for cover this evening - before tipoff of the first Executive versus Legislature basketball game to support Big Brothers and Big Sisters.

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - APRIL 1, 2015

I'm glad you've reconsidered leaving before tipoff, and I look forward to a fun time for all participants and spectators, win or lose, and in support of a very worthy cause.

Finally, in the unlikely event that the Legislature prevails this evening, I ask that this communication be stricken from the record.

Sincerely,

STEVE BULLOCK  
Governor

**FIRST READING AND COMMITMENT OF BILLS**

The following Senate bills were introduced, read first time, and referred to committees:

**SB 20**, introduced by C. Vincent (by request of the Water Policy Committee), referred to Natural Resources.

**SB 193**, introduced by B. Tutvedt, referred to Business and Labor.

**SB 194**, introduced by M. Caferro, referred to Taxation.

**SB 212**, introduced by S. Sales, referred to Taxation.

**SB 264**, introduced by B. Keenan, referred to Taxation.

**SB 279**, introduced by B. Hamlett, D. Brown, referred to State Administration.

**SB 326**, introduced by J. Hinkle, referred to Natural Resources.

**SB 386**, introduced by J. Cohenour, referred to Taxation.

**SB 394**, introduced by M. Blasdel, referred to Taxation.

**SB 395**, introduced by M. Blasdel, G. Bennett, J. Brenden, E. Buttrey, S. Fitzpatrick, C. Glimm, R. Ripley, C. Smith, referred to Judiciary.

**SB 396**, introduced by E. Buttrey, E. Hill, A. Knudsen, S. Lavin, N. Schwaderer, F. Thomas, A. Wittich and D. Zolnikov, referred to Transportation.

**SB 398**, introduced by J. Keane, referred to Business and Labor.

**SB 399**, introduced by F. Thomas, M. Caferro, C. Wolken, referred to Taxation.

**SB 401**, introduced by M. Caferro, referred to Business and Labor.

**SB 403**, introduced by R. Webb, referred to Human Services.

**SB 405**, introduced by E. Buttrey, D. Ankney, T. Berry, T. Brown, M. Caferro, C. Clark, P. Connell, R. Cook, G. Custer, S. Fitzpatrick, F. Garner, R. Hollandsworth, B. Hoven, C. Hunter, L. Jones, W. McKamey, G. Meyers, P. Noonan, R. Ripley, D. Salomon, J. Sesso, R. Shaw, N. Swandal, B. Tutvedt, J. Welborn, referred to Human Services.

**SB 409**, introduced by C. Vincent, B. Hamlett, L. Jones, R. Lynch, P. Noonan, A. Redfield, R. Shaw, G. Vuckovich, J. Welborn, referred to Natural Resources.

**SB 410**, introduced by L. Jones, referred to Education.

**SB 411**, introduced by M. Caferro, S. Sales, referred to Human Services.

**SB 414**, introduced by E. Buttrey, referred to Business and Labor.

**SB 416**, introduced by J. Brenden, referred to Appropriations.

**SB 418**, introduced by L. Jones, referred to Appropriations.

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - APRIL 1, 2015

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Ricci in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**SB 37** - Representative Manzella moved **SB 37** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 183** - Representative Hertz moved **SB 183** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope,

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - APRIL 1, 2015

Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Olszewski, Wittich.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 195** - Representative Shaw moved **SB 195** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 219** - Representative Monforton moved **SB 219** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland,

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - APRIL 1, 2015

Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Peppers.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 220** - Representative Essmann moved **SB 220** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 221** - Representative Wittich moved **SB 221** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty,

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - APRIL 1, 2015

McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.  
Total 99

Nays: Zolnikov.  
Total 1

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 307** - Representative D. Moore moved **SB 307** do pass. Motion carried as follows:

Yeas: B. Bennett, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, White, Williams, Wilson, Woods, Zolnikov.  
Total 66

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Clark, Fiscus, Fitzpatrick, Flynn, Glimm, Harris, Hess, Lamm, Lang, Laszloffy, Mandeville, Manzella, McKamey, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Tschida, Wagoner, Welborn, Wittich, Mr. Speaker.  
Total 34

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 356** - Representative Berglee moved **SB 356** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Eck, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Lieser, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey,

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - APRIL 1, 2015

Meyers, Monforton, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Perry, Person, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Woods, Mr. Speaker.

Total 69

Nays: Z. Brown, Court, Curdy, Dudik, Dunwell, Ellis, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lynch, MacDonald, Mehlhoff, Miller, Noonan, Pease-Lopez, Peppers, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Zolnikov.

Total 31

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 364** - Representative Mandeville moved **SB 364** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Clark, Cook, Cuffe, Curdy, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Steenberg, Swanson, Tschida, Wagoner, Welborn, Wittich, Mr. Speaker.

Total 78

Nays: Z. Brown, Burnett, Court, Dudik, Dunwell, Eck, Ellis, Hagstrom, Kipp III, Lieser, MacDonald, Peppers, Price, Smith, Staffanson, Tropila, Webber, White, Williams, Wilson, Woods, Zolnikov.

Total 22

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 371** - Representative Berglee moved **SB 371** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen,



HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - APRIL 1, 2015

Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Smith, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 61

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 39

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 250 - Governor's Amendments** - Representative Wagoner moved Governor's amendments to **HB 250** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Dudik, Eck, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McCarthy, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Peppers, Perry, Person, Pinocci, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Welborn, White, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 79

Nays: B. Bennett, Z. Brown, Court, Dunwell, Ellis, Funk, Hayman, Karjala, Lieser, Lynch, MacDonald, McClafferty, McConnell, Pease-Lopez, Pierson, Pope, Schreiner, Tropila, Webber, Williams, Wilson.

Total 21

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Ricci moved the Committee of the Whole report be adopted. Report adopted as follows:

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - APRIL 1, 2015

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Redfield.

Total 1

Excused: Fiscus, Schwaderer.

Total 2

Absent or not voting: Miller.

Total 1

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**SB 168** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Excused: Fiscus, Schwaderer.

Total 2

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - APRIL 1, 2015

Absent or not voting: None.

Total 0

**SB 191** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 87

Nays: Brodehl, Burnett, Fitzpatrick, Flynn, Glimm, Lamm, Noland, Peppers, Pinocci, Tschida, Wagoner.

Total 11

Excused: Fiscus, Schwaderer.

Total 2

Absent or not voting: None.

Total 0

**SB 209** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Z. Brown, Dudik.

Total 2

Excused: Fiscus, Schwaderer.

Total 2

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - APRIL 1, 2015

Absent or not voting: None.

Total 0

**SB 224** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Mandeville.

Total 1

Excused: Fiscus, Schwaderer.

Total 2

Absent or not voting: None.

Total 0

**SB 238** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: Brodehl, B. Brown, Burnett, Glimm, Jones, Pinocci.

Total 6

Excused: Fiscus, Schwaderer.

Total 2

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - APRIL 1, 2015

Absent or not voting: None.

Total 0

**SB 249** concurred in as follows:

Yeas: Ballance, B. Bennett, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods.

Total 68

Nays: J. Bennett, Berglee, Brodehl, B. Brown, Doane, Fitzpatrick, Glimm, Harris, Hertz, Hess, Jones, Lamm, Laszloffy, Mandeville, Manzella, Meyers, Miller, Monforton, Mortensen, Noland, Pinocci, Redfield, Regier, Ricci, Staffanson, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 30

Excused: Fiscus, Schwaderer.

Total 2

Absent or not voting: None.

Total 0

**SB 255** concurred in as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 88

Nays: J. Bennett, Brodehl, B. Brown, Burnett, Miller, Peppers, Pinocci, Smith, Wittich, Zolnikov.

Total 10

Excused: Fiscus, Schwaderer.

Total 2

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - APRIL 1, 2015

Absent or not voting: None.

Total 0

**SB 295** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Dudik, Eck, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jacobson, Jones, Kelker, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McCarthy, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Perry, Person, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Shaw, Staffanson, Steenberg, Tschida, Wagoner, Welborn, White, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 70

Nays: B. Bennett, Z. Brown, Court, Curdy, Dunwell, Ellis, Funk, Hayman, Hunter, Karjala, Kipp III, Lieser, MacDonald, McClafferty, McConnell, Olsen, Pease-Lopez, Peppers, Pierson, Pope, Price, Schreiner, Smith, Swanson, Tropila, Webber, Williams, Wilson.

Total 28

Excused: Fiscus, Schwaderer.

Total 2

Absent or not voting: None.

Total 0

**SB 333** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: Funk, Holmlund, Kipp III, Olsen, Williams.

Total 5

Excused: Fiscus, Schwaderer.

Total 2

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - APRIL 1, 2015

Absent or not voting: None.

Total 0

**SB 385** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cuffe, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Kelker, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Shaw, Smith, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Mr. Speaker.

Total 56

Nays: B. Bennett, Z. Brown, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Karjala, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Zolnikov.

Total 42

Excused: Fiscus, Schwaderer.

Total 2

Absent or not voting: None.

Total 0

**MOTIONS**

Majority Leader Regier moved **SB 37** be moved from the Committee of the Whole to the Appropriations Committee.

Representative Cuffe moved to reconsider action on **HB 8** and that **HB 8** be placed on third reading, April 7, 2015.

Motion **passed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Shaw, Smith, Staffanson, Tschida, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.

Total 57

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - APRIL 1, 2015

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods.  
Total 41

Excused: Fiscus, Schwaderer.  
Total 2

Absent or not voting: None.  
Total 0

**SPECIAL ORDERS OF THE DAY**

Representative Lynch thanked the pages for their service

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 5:00 p.m., Tuesday, April 7, 2015.  
Motion carried.

House adjourned at 2:24 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House



**HOUSE JOURNAL  
64TH LEGISLATURE  
SIXTY-NINTH LEGISLATIVE DAY**

Helena, Montana  
April 7, 2015

House Chambers  
State Capitol

House convened at 5:00 p.m. Mr. Speaker presiding. Invocation by Representative Hagstrom. Pledge of Allegiance to the Flag. Roll Call. All members present. Quorum present.

**BILLS** (Welborn, Chair):

4/7/2015

Correctly printed: **SB 7, SB 47, SB 148, SB 216.**

Correctly engrossed: **HB 633, HJR 24, SB 349.**

Correctly enrolled: **HB 478, HJR 14.**

Signed by the Speaker at 9:30 a.m., April 8, 2015: **HB 331, HB 400.**

Signed by the Chief Clerk of the House at 10:17 a.m., April 8, 2015: **HB 331, HB 400.**

Signed by the President at 4:20 p.m., April 7, 2015: **HB 68, HB 209, HB 288, HB 290, HB 342, HB 529, HB 564, HB 580, HB 584.**

Delivered to the Governor for approval at 4:53 p.m., April 7, 2015: **HB 68, HB 209, HB 288, HB 290, HB 342, HB 529, HB 564, HB 580, HB 584.**

**LEGISLATIVE ADMINISTRATION** (Welborn, Chair):

4/7/2015

MR. SPEAKER:

We, your committee on Legislative Administration recommend that employment of the following pages of the House be ceased as of 12:00 p.m., Wednesday, April 1, 2015:

Katie Witt, Carter  
Emalie Kleinsasser, Lewistown  
Cory Preshinger, Helena  
Greta Sanders, Big Timber  
Samuel Maloney, Butte  
Edwin Smart, Virginia City  
Mason Moe, Helena

and recommend that the following pages of the House be employed as of 5:00 p.m., Tuesday, April 7, 2015:

Austin Leonard, Eureka  
Megan Turner, Plains  
Robert Jay Wadsworth, St. Ignatius  
Brianna Petersen, Billings  
Kortney McNeil, Billings

HOUSE JOURNAL  
SIXTY-NINTH LEGISLATIVE DAY - APRIL 7, 2015

Justin Dreessen, Billings  
Daniel Buchignani, Three Forks  
Christian Buchignani, Three Forks

Report Adopted.

Representative Person rose on a **Point Of Personal Privilege**. He stated that in previous testimony on the Landlord Tenant Bill, he was asked if weekends and holidays were counted in the 3 days. He continued to state that under the Rules of Civil Procedures, every day including weekends and holidays were counted.

**REPORTS OF STANDING COMMITTEES**

**HUMAN SERVICES** (Wittich, Chair):

4/1/2015

**SB 7**, be concurred in. Report adopted.

**SB 148**, be concurred in. Report adopted.

**SB 216**, be concurred in. Report adopted.

**SB 349**, be amended as follows:

1. Title, page 1, line 5.

**Following:** "INCLUDES"

**Insert:** "ELECTIVE"

2. Title, page 1, line 6.

**Following:** "INCLUDE"

**Insert:** "ELECTIVE"

3. Page 1, line 11.

**Following:** "on"

**Insert:** "elective"

4. Page 1, line 12.

**Following:** "for"

**Insert:** "elective"

5. Page 1, line 13.

**Following:** "for"

**Insert:** "elective"

6. Page 1, line 15.

**Following:** "for"

**Insert:** "elective"

HOUSE JOURNAL  
SIXTY-NINTH LEGISLATIVE DAY - APRIL 7, 2015

7. Page 1, line 20.

**Strike:** ""Abortion"" through "50-2-104"

**Insert:** ""Elective abortion" means an abortion as defined in 50-20-104 that is performed for purposes other than when:

(i) the life of the mother is endangered by a physical disorder, physical illness, or physical injury, including a life-endangering condition caused by or arising from the pregnancy itself; or

(ii) the pregnancy is the result of an act of rape or incest"

And, as amended, be concurred in. Report adopted.

**ADVERSE COMMITTEE REPORT**

**HUMAN SERVICES** (Wittich, Chair):

4/7/2015

**SB 405**, third reading copy, be amended as follows:

1. Title, page 1, line 7 through line 8.

**Following:** "THE"

**Insert:** "HEALTHY"

**Following:** "MONTANA"

**Strike:** "HEALTH" on line 7 through "PARTNERSHIP" on line 8

**Following:** "INDIVIDUALS"

**Strike:** ", "

**Insert:** "AND"

2. Title, page 1, line 9.

**Following:** "SERVICES"

**Strike:** ", AND CONTROL HEALTH CARE COSTS"

3. Title, page 1, line 13 through line 16.

**Strike:** "PROVIDING" on line 13 through "DEFINITIONS;" on line 16

**Following:** "AUTHORITY;"

**Insert:** "ESTABLISHING A SPECIAL REVENUE ACCOUNT; PROVIDING A STATUTORY APPROPRIATION; PROVIDING THAT THE PROPOSED ACT BE SUBMITTED TO THE QUALIFIED ELECTORS OF MONTANA;"

**Strike:** "27-2-205,"

**Insert:** "17-7-502,"

4. Title, page 1, line 17.

**Strike:** "AND A TERMINATION DATE"

5. Page 1, line 21 through page 17, line 2.

**Strike:** everything after the enacting clause

**Insert:** "NEW SECTION. Section 1. Short title. [Sections 1 through 8] may be cited as the "Healthy Montana Act"."

HOUSE JOURNAL  
SIXTY-NINTH LEGISLATIVE DAY - APRIL 7, 2015

**Insert:**        "NEW SECTION. Section 2. Healthy Montana Act -- purpose. The purposes of the Healthy Montana Act are to:

- (1) establish a basic set of health care services pursuant to [section 4] for a new coverage group as authorized under [section 5];
- (2) administer the claims payment process for the new coverage group through a competitively procured third-party administrator;
- (3) sustain health care delivery across Montana, inclusive of rural health care systems, through increased health care coverage for citizens;
- (4) authorize reforms in the delivery of medicaid-funded health care services to ensure that Montana citizens receive more effective health care; and
- (5) provide for the full utilization of federal funds available for the health care coverage of Montanans through both the federal medicaid and the children's health insurance programs."

**Insert:**        "NEW SECTION. Section 3. Definitions. As used in [sections 1 through 8], the following definitions apply:

(1) "Department" means the department of public health and human services provided for in 2-15-2201.

(2) "Member" means an individual enrolled in the Montana medicaid program pursuant to 53-6-131 or receiving medicaid-funded services pursuant to [sections 1 through 8]."

**Insert:**        "NEW SECTION. Section 4. Healthy Montana Act -- delivery of health care services -- third-party administrator. (1) The department shall contract as provided in Title 18, chapter 4, with a third-party administrator to assist in the administration of the delivery of health care services to individuals eligible under [section 5], including but not limited to:

- (a) establishing networks of health care providers; and
- (b) paying claims submitted by health care providers.

(2) The department shall determine the health care services to be provided through the arrangement with the third-party administrator.

(3) (a) The department may exempt certain individuals who are eligible pursuant to [section 5] from receiving health care services through the arrangement with a third-party administrator if the department determines that the services available through the arrangement would be inappropriate for meeting the health care needs of those individuals. The department shall adopt rules establishing criteria for determining if an individual is exempt from receiving health care services through the arrangement with the third-party administrator.

(b) The department may provide coverage of health care service needs for individuals who are exempt as provided in subsection (3)(a) in accordance with:

- (i) Title XIX of the Social Security Act;
- (ii) Title 53, chapter 6, part 1; and
- (iii) conditions specified by the U.S. department of health and human services.

(4) The department shall adopt rules to specify the health care services to be provided under [sections 1 through 8].

(5) The department shall directly cover any service required under federal or state law that is not available through the arrangement with the third-party administrator.

(6) The department shall administer the eligibility determination process for individuals covered pursuant to [section 5].

(7) The department shall:

HOUSE JOURNAL  
SIXTY-NINTH LEGISLATIVE DAY - APRIL 7, 2015

(a) seek federal authorization from the U.S. department of health and human services through a waiver authorized by 42 U.S.C. 1315 and other waivers or through other means, as may be necessary, to use a third-party administrator to provide a program of medicaid-funded services for individuals eligible for services pursuant to [section 5]; and

(b) implement access to the health care services in accordance with the requirements necessary to receive the federal medical assistance percentage provided for by 42 U.S.C. 1396d(y).

(8)(a) The department shall collect information from each hospital participating in the arrangement with the third-party administrator on:

(i) the amount of uncompensated care provided to patients in fiscal year 2016; and

(ii) the amount of uncompensated care provided in each subsequent fiscal year.

(b) Hospitals that file Form 990 with the internal revenue service shall provide the department with a copy of Schedule H when reporting on uncompensated care.

(c) The department shall report the information to the children, families, health, and human services interim committee."

**Insert:** "NEW SECTION. **Section 5. Healthy Montana Act -- eligibility for coverage.**

An individual is eligible for coverage of health care services provided pursuant to [section 4] if the individual meets the requirements of 42 U.S.C. 1396a(a)(10)(A)(i)(VIII)."

**Insert:** "NEW SECTION. **Section 6. Improvements to delivery of medicaid services**

**-- report.** (1) The department of public health and human services shall pursue the implementation of reforms in the delivery of existing medicaid-funded health care services to ensure that Montana citizens receive more effective health care.

(2) The department shall undertake the following reforms:

(a) administer a program to improve the delivery of medicaid-funded health care services in an economically efficient manner through the establishment of a set of coordinated care models that will deliver care more comprehensively to members. The models must be designed to:

(i) provide oversight and preventive services in addition to standard health care services; and

(ii) reduce exigent and emergency circumstances that increase the dependence of members on more intensive services, including but not limited to hospital emergency rooms.

(b) develop and maintain a system to comprehensively compile and monitor data on the utilization of health care services by members and on the practices of providers in delivering and billing for health care services in order to improve the efficiency and effectiveness of the delivery of health care services;

(c) in order to ensure the integrity of medicaid expenditures and the delivery of medicaid services, develop and maintain a multipronged fraud and abuse detection system that includes education for providers and members on medicaid standards and the consequences of fraud and abuse;

(d) improve the performance of the medicaid eligibility system to ensure that eligibility determinations are made expeditiously;

(e) coordinate the medicaid eligibility system with other state and federal eligibility systems to the greatest extent possible to improve efficiency and accuracy of eligibility determinations; and

HOUSE JOURNAL  
SIXTY-NINTH LEGISLATIVE DAY - APRIL 7, 2015

(f) investigate and where feasible develop data systems to provide health care providers, members, and the department with access through a single source to real-time medical care information.

(3) The coordinated care models provided for in subsection (2)(a) may include but are not limited to:

- (a) patient-centered medical homes;
- (b) accountable care organizations;
- (c) health improvement programs;
- (d) behavioral health homes; and
- (e) changes to current service delivery methods.

(4) The department shall report to the governor by January 2017 on the department's medicaid fraud prevention efforts and the results of those efforts."

**Insert:**     "NEW SECTION. Section 7. Federal special revenue accounts -- statutory appropriations. (1) (a) There is an account in the federal special revenue fund to the credit of the department for the purpose of paying for health care services provided to individuals who are eligible for coverage pursuant to [section 5].

(b) The federal medical assistance percentage received pursuant to 42 U.S.C. 1396d(y) must be deposited in the account.

(c) Money in the account is statutorily appropriated, as provided in 17-7-502, to the department for the costs of providing health care services to individuals who meet the eligibility requirements of [section 5].

(2) (a) There is an account in the federal special revenue fund to the credit of the department for the purpose of paying for health care services for children eligible for coverage under the children's health insurance program provided for in Title 53, chapter 4, part 10, and the healthy Montana kids plan provided for in Title 53, chapter 4, part 11.

(b) Funds received from the federal government for the enhanced federal medical assistance percentage for the children's health insurance program as authorized by 2105(b) of the Social Security Act, 42 U.S.C. 1397ee(b), must be deposited into the account.

(c) Money in the account is statutorily appropriated, as provided in 17-7-502, to the department to be used for costs related to providing services pursuant to Title 53, chapter 4, parts 10 and 11."

**Insert:**     "NEW SECTION. Section 8. Rulemaking authority. The department may adopt rules as necessary for the implementation of [sections 1 through 8]. Rules may include but are not limited to:

(1) eligibility criteria, requirements, and related measures, including rules for the exemptions allowed under [section 4(3)];

(2) the responsibilities and requirements for the third-party administrator;

(3) quality assurance measures to ensure the appropriateness and quality of health care services delivered under [sections 1 through 8];

(4) provider requirements and reimbursement;

(5) utilization measures;

(6) alternative coverage of health care services for persons excluded from coverage through the arrangement with the third-party administrator;

(7) coverage for additional health care services not available through the arrangement with the third-party administrator;

HOUSE JOURNAL  
SIXTY-NINTH LEGISLATIVE DAY - APRIL 7, 2015

(8) reforms initiated pursuant to [section 6]; and  
(9) other rules as required to implement a program of coverage as approved by the U.S. department of health and human services for individuals eligible for coverage pursuant to [section 5]."

**Insert: "Section 9.** Section 17-7-502, MCA, is amended to read:

**"17-7-502. Statutory appropriations -- definition -- requisites for validity.** (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-15-247; 2-17-105; 5-11-120; 5-11-407; 5-13-403; 7-4-2502; 10-1-108; 10-1-1202; 10-1-1303; 10-2-603; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-121; 15-1-218; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121; 15-70-101; 15-70-369; 15-70-601; 16-11-509; 17-3-106; 17-3-112; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 18-11-112; 19-3-319; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-8-107; 20-9-534; 20-9-622; 20-26-1503; 22-1-327; 22-3-1004; 23-4-105; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 30-10-1004; 37-43-204; 37-51-501; 39-1-105; 39-71-503; 41-5-2011; 42-2-105; 44-4-1101; 44-12-206; 44-13-102; 53-1-109; 53-1-215; 53-2-208; [section 7]; 53-9-113; 53-24-108; 53-24-206; 60-11-115; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 76-13-150; 76-13-416; 77-1-108; 77-2-362; 80-2-222; 80-4-416; 80-11-518; 81-1-112; 81-7-106; 81-10-103; 82-11-161; 85-20-1504; 85-20-1505; 87-1-603; 90-1-115; 90-1-205; 90-1-504; 90-3-1003; 90-6-331; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates contingently when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 10, Ch. 10, Sp. L. May 2000, secs. 3 and 6, Ch. 481, L. 2003, and sec. 2, Ch. 459, L. 2009, the inclusion of 15-35-108 terminates June 30, 2019; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410 terminates contingently upon the death of the last recipient eligible under 19-6-709(2) for the supplemental benefit provided by 19-6-709; pursuant to sec. 14, Ch. 374, L. 2009, the inclusion of 53-9-113 terminates June 30, 2015; pursuant to sec. 5, Ch. 442, L. 2009, the inclusion of 90-6-331 terminates June 30, 2019; pursuant to sec. 16, Ch. 58, L. 2011, the inclusion of 30-10-1004 terminates June 30, 2017; pursuant to sec. 6, Ch. 61, L. 2011, the inclusion of 76-13-416 terminates June 30, 2019; pursuant to sec. 13, Ch. 339, L. 2011, the inclusion of 81-1-112 and 81-7-106 terminates June 30, 2017; pursuant to sec. 11(2), Ch. 17, L.

HOUSE JOURNAL  
SIXTY-NINTH LEGISLATIVE DAY - APRIL 7, 2015

2013, the inclusion of 17-3-112 terminates on occurrence of contingency; pursuant to secs. 3 and 5, Ch. 244, L. 2013, the inclusion of 22-1-327 is effective July 1, 2015, and terminates July 1, 2017; and pursuant to sec. 10, Ch. 413, L. 2013, the inclusion of 2-15-247, 39-1-105, 53-1-215, and 53-2-208 terminates June 30, 2015.)"

**Insert:** "NEW SECTION. Section 10. Contingent termination. (1) [Sections 4 and 5] terminate on the effective implementation date after enactment by the federal government of any provision of law that reduces below 90% the federal medical assistance percentage for medical assistance provided to individuals eligible for medicaid coverage pursuant to [section 5].

(2) [Section 7] terminates 15 months after the contingency provided for in subsection (1) occurs.

(3) The governor's office of budget and program planning shall certify to the governor the occurrence of the contingency. The governor shall transmit a copy of the certification to the code commissioner."

**Insert:** "NEW SECTION. Section 11. Transition. (1) If the department of public health and human services finds it necessary for the successful and appropriate implementation of [sections 1 through 8], the department may initiate eligibility processing and other measures necessary for implementation of [sections 4 and 5] prior to the date that health care services provided pursuant to [section 4] are covered.

(2) The department may implement coverage of health care services provided for in [section 4] only after:

(a) the department has obtained the approval needed from the U.S. department of health and human services to receive the federal medical assistance percentage provided for in 42 U.S.C. 1396d(y) for individuals eligible for coverage pursuant to [section 5]; and

(b) all necessary administrative arrangements, including contract services, are in place."

**Insert:** "NEW SECTION. Section 12. Codification instruction. [Sections 1 through 8] are intended to be codified as an integral part of Title 53, chapter 6, and the provisions of Title 53, chapter 6, apply to [sections 1 through 8]."

**Insert:** "NEW SECTION. Section 13. Effective dates. (1) Except as provided in subsection (2), [this act] is effective July 1, 2017.

(2) [Section 11] and this section are effective on approval by the electorate."

**Insert:** "NEW SECTION. Section 14. Submission to electorate. [This act] shall be submitted to the qualified electors of Montana at the general election to be held in November 2016 by printing on the ballot the full title of [this act] and the following:

☐ YES on Legislative Referendum \_\_\_\_  
☐ NO on Legislative Referendum \_\_\_\_"

And, as amended, be not concurred in.

Minority Leader Hunter rose on a **Point of Order** and objected to the reading of the Adverse Committee Report on **SB 405**. He asked the Speaker to decide if a silver bullet designation would prevent or negate an Adverse Committee Report and make the Human Services Report out of order.



HOUSE JOURNAL  
SIXTY-NINTH LEGISLATIVE DAY - APRIL 7, 2015

The Speaker ruled the objection Out of Order per H40-90(2) as SB 405 had been reported out of Committee. He stated that blast motions only applied to bills still in possession of the Committee.

Minority Leader Hunter appealed the ruling of the Chair.

Rep. Essmann rose in objection to the framing of the Point of Order.

The House stood at ease.  
The House came back to order.

The Speaker ruled the appeal Out of Order and stated that this was a question on Interpretation of the Rules and not a question of Point of Order.

Minority Leader Hunter appealed the Speaker's interpretation of the rules.

The Speaker referred the matter to the Rules Committee which would meet at 12:00 p.m., April 8, 2015.

**JUDICIARY** (Bennett, Chair): 3/26/2015  
**HB 633**, do pass. Report adopted.

**NATURAL RESOURCES** (White, Chair): 4/1/2015  
**SB 47**, be concurred in. Report adopted.

**TRANSPORTATION** (Lavin, Chair): 4/1/2015  
**HJR 24**, introduced joint resolution, be amended as follows:

1. Page 2, line 6.  
**Strike:** "to"  
**Insert:** "by"  
**Following:** "year"  
**Insert:** "and now approaches 12 billion miles annually"

And, as amended, be adopted. Report adopted.

**MESSAGES FROM THE SENATE**

**House bills** concurred in as amended and returned to the House for concurrence in Senate amendments:

**HB 358**, introduced by Lynch  
**HB 374**, introduced by McClafferty

4/7/2015

HOUSE JOURNAL  
SIXTY-NINTH LEGISLATIVE DAY - APRIL 7, 2015

**House bill** concurred in and returned to the House: 4/7/2015

**HB 478**, introduced by Williams

**House joint resolution** concurred in and returned to the House: 4/7/2015

**HJR 14**, introduced by Garner

**Senate joint resolutions** passed and transmitted to the House for concurrence: 4/7/2015

**SJR 18**, introduced by Phillips

**SJR 20**, introduced by Tutvedt

**SJR 21**, introduced by Facey

**SJR 22**, introduced by Webb

**MESSAGES FROM THE GOVERNOR**

April 1, 2015

The Honorable Austin Knudsen  
Speaker of the House  
State Capitol  
Helena, Montana 59620

Dear Speaker Knudsen:

Please be informed that I have signed **House Bill 87** sponsored by Representative McClafferty, **House Bill 183** sponsored by Representative Mandeville, **House Bill 197** sponsored by Representative Regier, **House Bill 289** sponsored by Representative Greef, **House Bill 382** sponsored by Representative Dunwell, **House Bill 397** sponsored by Representative Dudik, **House Bill 481** sponsored by Representative Hunter, **House Bill 518** sponsored by Representative Ehli, and **House Bill 588** sponsored by Representative Cook on April 1, 2015.

These bills were delivered to the Secretary of State's Office today.

I have vetoed **House Bill 449** sponsored by Representative Wagoner

Sincerely,

STEVE BULLOCK  
Governor

HOUSE JOURNAL  
SIXTY-NINTH LEGISLATIVE DAY - APRIL 7, 2015

April 2, 2015

The Honorable Austin Knudsen  
Speaker of the House  
State Capitol  
Helena, Montana 59620

Dear Speaker Knudsen:

Please be informed that I have signed **House Bill 44** sponsored by Representative Berry, **House Bill 107** sponsored by Representative Cook, **House Bill 193** sponsored by Representative Salomon, **House Bill 194** sponsored by Representative Redfield, **House Bill 222** sponsored by Representative Hollandsworth, **House Bill 227** sponsored by Representative Dudik, **House Bill 232** sponsored by Representative Dudik, **House Bill 252** sponsored by Representative McCarthy, **House Bill 285** sponsored by Representative Flynn, **House Bill 366** sponsored by Representative Custer, **House Bill 396** sponsored by Representative D. Jones, **House Bill 410** sponsored by Representative Essmann, **House Bill 436** sponsored by Representative Dudik, **House Bill 482** sponsored by Representative Hunter, **House Bill 513** sponsored by Representative Person, and **House Bill 522** sponsored by Representative Berry on April 2, 2015.

Sincerely,

STEVE BULLOCK  
Governor

April 7, 2015

The Honorable Austin Knudsen  
Speaker of the House  
State Capitol  
Helena, Montana 59620

Dear Speaker Knudsen:

I am returning **House Bill 270** sponsored by Representative Richmond with amendments.

Sincerely,

STEVE BULLOCK  
Governor

HOUSE JOURNAL  
SIXTY-NINTH LEGISLATIVE DAY - APRIL 7, 2015

**FIRST READING AND COMMITMENT OF BILLS**

The following Senate joint resolutions were introduced, read first time, and referred to committees:

**SJR 18**, introduced by M. Phillips, referred to Natural Resources.

**SJR 20**, introduced by B. Tutvedt, referred to Local Government.

**SJR 21**, introduced by T. Facey, K. Hansen, referred to Local Government.

**SJR 22**, introduced by R. Webb, referred to Human Services.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Osmundson in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 101 - Senate Amendments** - Representative Steenberg moved Senate amendments to **HB 101** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 88

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Glimm, Hertz, Laszloffy, Manzella, Pinocci, Schwaderer, Tschida.

Total 12

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SIXTY-NINTH LEGISLATIVE DAY - APRIL 7, 2015

**HB 118 - Senate Amendments** - Representative B. Bennett moved Senate amendments to **HB 118** be **not** concurred in. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Monforton, Moore, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Williams, Wilson, Woods, Zolnikov.

Total 59

Nays: Ballance, Berglee, Berry, B. Brown, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Mortensen, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Wagoner, Welborn, White, Wittich, Mr. Speaker.

Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 180 - Senate Amendments** - Representative B. Smith moved Senate amendments to **HB 180** be concurred in. Motion **failed** as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 50

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 50

Excused: None.

Total 0

HOUSE JOURNAL  
SIXTY-NINTH LEGISLATIVE DAY - APRIL 7, 2015

Absent or not voting: None.

Total 0

**HB 204 - Senate Amendments** - Representative Hertz moved Senate amendments to **HB 204** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jacobson, Jones, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Perry, Pierson, Pope, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 85

Nays: Court, Glimm, Hunter, Karjala, Noonan, Pease-Lopez, Peppers, Person, Price, Schreiner, Smith, Tropila, Welborn.

Total 13

Excused: None.

Total 0

Absent or not voting: Lynch, Pinocci.

Total 2

**HB 226 - Senate Amendments** - Representative Richmond moved Senate amendments to **HB 226** be concurred in. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Custer, Ehli, Fiscus, Fitzpatrick, Garner, Glimm, Hess, Hollandsworth, Lang, Laszloffy, Lynch, McConnell, Meyers, Perry, Person, Richmond, Salomon, Schwaderer, Shaw, Steenberg, Tschida.

Total 30

Nays: B. Bennett, Berglee, Berry, Court, Curdy, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Flynn, Funk, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lavin, Lieser, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McKamey, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Schreiner, Smith, Staffanson, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 70

HOUSE JOURNAL  
SIXTY-NINTH LEGISLATIVE DAY - APRIL 7, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 259 - Senate Amendments** - Representative D. Moore moved Senate amendments to **HB 259** be concurred in. Motion carried as follows:

Yeas: Ballance, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McConnell, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Osmundson, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Welborn, White, Mr. Speaker.

Total 52

Nays: B. Bennett, J. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hess, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McKamey, Mehlhoff, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 48

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 318 - Senate Amendments** - Representative Hill moved Senate amendments to **HB 318** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 87

HOUSE JOURNAL  
SIXTY-NINTH LEGISLATIVE DAY - APRIL 7, 2015

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Glimm, Hertz, Laszloffy, Manzella, Mortensen, Noland, Pinocci, Wittich.  
Total 13

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 330 - Senate Amendments** - Representative Schwaderer moved Senate amendments to **HB 330** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 89

Nays: Fitzpatrick, Garner, Lamm, Lavin, Pease-Lopez, Peppers, Schreiner, Tropila, Welborn, Wittich.  
Total 10

Excused: None.  
Total 0

Absent or not voting: Mehlhoff.  
Total 1

**HB 330** - Representative Pierson moved for cloture.  
The Chair ruled the motion out of order.

**HB 334 - Senate Amendments** - Representative Cook moved Senate amendments to **HB 334** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff,



HOUSE JOURNAL  
SIXTY-NINTH LEGISLATIVE DAY - APRIL 7, 2015

Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 92

Nays: Glimm, Hess, Lamm, Manzella, Wagoner, Wittich, Zolnikov.  
Total 7

Excused: None.  
Total 0

Absent or not voting: J. Bennett.  
Total 1

**HB 343 - Senate Amendments** - Representative B. Bennett moved Senate amendments to **HB 343** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 93

Nays: B. Brown, Glimm, Lamm, Monforton, Noland, White, Wittich.  
Total 7

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 350 - Senate Amendments** - Representative Shaw moved Senate amendments to **HB 350** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter,

HOUSE JOURNAL  
SIXTY-NINTH LEGISLATIVE DAY - APRIL 7, 2015

Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 87

Nays: Ballance, J. Bennett, Doane, Glimm, Harris, Hess, Manzella, McKamey, Monforton, Mortensen, Noland, Staffanson, Wittich.

Total 13

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 439 - Senate Amendments** - Representative Redfield moved Senate amendments to **HB 439** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Salomon.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SIXTY-NINTH LEGISLATIVE DAY - APRIL 7, 2015

**HB 447 - Senate Amendments** - Representative Wagoner moved Senate amendments to **HB 447** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lieser, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Olsen, Olszewski, Osmundson, Perry, Person, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 85

Nays: Court, Hayman, Hill, Hunter, Jacobson, Lavin, MacDonald, Noland, Noonan, Pease-Lopez, Peppers, Pierson, Smith, Tropila, Wittich.

Total 15

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Osmundson moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Cuffe, Peppers, Smith.

Total 3

Excused: None.

Total 0

HOUSE JOURNAL  
SIXTY-NINTH LEGISLATIVE DAY - APRIL 7, 2015

Absent or not voting: None.

Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 8 failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Kipp III, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McCarthy, McKamey, Meyers, Miller, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Lieser, Lynch, MacDonald, McClafferty, McConnell, Mehlhoff, Monforton, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods.

Total 42

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 250 passed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Dudik, Eck, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McCarthy, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Perry, Person, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Welborn, White, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 79

HOUSE JOURNAL  
SIXTY-NINTH LEGISLATIVE DAY - APRIL 7, 2015

Nays: B. Bennett, Z. Brown, Court, Dunwell, Ellis, Funk, Hayman, Lieser, Lynch, MacDonald, McConnell, Pease-Lopez, Peppers, Pope, Price, Schreiner, Smith, Tropila, Webber, Williams, Wilson.

Total 21

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 183** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Wittich.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 195** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner,

HOUSE JOURNAL  
SIXTY-NINTH LEGISLATIVE DAY - APRIL 7, 2015

Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 219** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 220** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson,

HOUSE JOURNAL  
SIXTY-NINTH LEGISLATIVE DAY - APRIL 7, 2015

Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 221** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 307** concurred in as follows:

Yeas: B. Bennett, Z. Brown, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Funk, Greef, Hayman, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty,

HOUSE JOURNAL  
SIXTY-NINTH LEGISLATIVE DAY - APRIL 7, 2015

McConnell, Mehlhoff, Meyers, Moore, Mortensen, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Woods.  
Total 61

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Hagstrom, Harris, Hess, Holmlund, Lamm, Lang, Laszloffy, Mandeville, Manzella, McKamey, Miller, Monforton, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Tschida, Wagoner, Wittich, Zolnikov, Mr. Speaker.  
Total 39

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 356** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Eck, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Perry, Person, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, White, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 64

Nays: Z. Brown, Court, Curdy, Dudik, Dunwell, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, MacDonald, McClafferty, Mehlhoff, Meyers, Miller, Noonan, Olsen, Pease-Lopez, Peppers, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson.  
Total 36

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 364** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Clark, Cook, Cuffe, Curdy, Custer, Doane, Dudik, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones,



HOUSE JOURNAL  
SIXTY-NINTH LEGISLATIVE DAY - APRIL 7, 2015

Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Person, Pierson, Pinocci, Pope, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Welborn, Wittich, Mr. Speaker.  
Total 80

Nays: Z. Brown, Burnett, Court, Dunwell, Eck, Ellis, Hagstrom, Kipp III, Lieser, Peppers, Perry, Price, Smith, Tropila, Webber, White, Williams, Wilson, Woods, Zolnikov.  
Total 20

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 371** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Smith, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 60

Nays: B. Bennett, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 40

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**MOTIONS**

Majority Leader Regier moved **HJR 26** be moved from the Human Services Committee to the Education Committee.

HOUSE JOURNAL  
SIXTY-NINTH LEGISLATIVE DAY - APRIL 7, 2015

Majority Leader Regier moved **SB 396** be moved from the Transportation Committee to the Federal Relations, Energy, and Telecommunications Committee.

Majority Leader Regier moved to appoint a Conference Committee on **HB 118** and request the Senate to appoint a like committee. Motion carried. Speaker Knudsen appointed:

4/7/2015

Representative B. Bennett  
Representative Berry  
Representative Lang

Majority Leader Regier moved to appoint a Conference Committee on **HB 180** and request the Senate to appoint a like committee.

Representative McCarthy objected to the creation of a Conference Committee for **HB 180**. The motion was made to Pass Consideration for the day. Without objection. Motion carried.

Majority Leader Regier moved to appoint a Conference Committee on **HB 226** and request the Senate to appoint a like committee. Motion carried. Speaker Knudsen appointed:

4/7/2015

Representative Doane  
Representative Richmond  
Representative Steenberg

**SPECIAL ORDERS OF THE DAY**

The Speaker asked for moment of silence in remembrance of former Govenor Tim Babcock who passed away April 6, 2015.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Wednesday, April 8, 2015. Motion carried.

House adjourned at 6:38 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
SEVENTIETH LEGISLATIVE DAY**

Helena, Montana  
April 8, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Noland. Pledge of Allegiance to the Flag. Roll Call. All members present. Quorum present.

Majority Leader Regier announced the Republicans would caucus.  
Minority Leader Hunter announced the Democrats would caucus.

House recessed.  
House reconvened.

**BILLS** (Welborn, Chair):

4/8/2015

Correctly printed: **SB 272, SB 275, SB 345, SB 395.**

Correctly engrossed: **SB 334, SJR 10.**

Correctly enrolled: **HB 101, HB 204, HB 259, HB 318, HB 330, HB 334, HB 343, HB 350, HB 439, HB 447.**

Transmitted to the Senate: **SB 183, SB 195, SB 219, SB 220, SB 221, SB 307, SB 356, SB 364, SB 371.**

Signed by the Speaker at 9:45 a.m., April 9, 2015: **HB 478, HJR 14.**

Signed by the Chief Clerk of the House at 10:00 a.m., April 9, 2015: **HB 478, HJR 14.**

Signed by the President at 10:42 a.m., April 8, 2015: **HB 331, HB 400.**

Delivered to the Governor for approval at 11:00 a.m., April 8, 2015: **HB 331, HB 400.**

**REPORTS OF STANDING COMMITTEES**

Representative Essmann reported that the House Rules Committee moved to uphold the ruling of the Speaker that Minority Leader Hunter's motion, made as a Point of Order, was Out of Order under H20-20.

Minority Leader Hunter appealed the ruling of the Rules Committee.

Motion **carried** as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 52

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang,

HOUSE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 8, 2015

Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 48

Excused: None.

Total 0

Absent or not voting: None.

Total 0

The Speaker stated that with the appeal being sustained, the discussion would revert back to Order of Business #2 Reports of Standing Committees from the previous day's session on the original objection of Minority Leader Hunter: "Does a Silver Bullet designation prevent or negate an Adverse Committee Report and make the Human Services Committee Report Out of Order."

The Speaker ruled that the House Human Services Report was proper and that the silver bullet rule H40-90(2) did not prevent a committee from adversely reporting a bill. He stated that H40-90(2) applied to bills that were still in possession of the committee therefore, the silver bullet rule did not preempt or prevent those bills from being adversely reported.

Minority Leader Hunter appealed the ruling of the Speaker.

The motion **to** sustain the ruling of the Speaker failed as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 48

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 52

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 8, 2015

Minority Leader Hunter made a motion to withdraw **SB 405** from the Human Services Committee and place it on Second Reading on the 72nd Legislative Day.

Representative Essmann rose in objection and stated that the proper place to make a motion was during Order of Business #9.

The Speaker ruled that Minority Leader Hunter's motion was out of order and should be done during Order of Business # 9 Motions.

House stood at ease.  
House reconvened.

Minority Leader Hunter withdrew his motion.

Representative Wittich rose on appeal, requesting an interpretation of the rules, citing H70-50, H70-10, H70-30, and H50-160.

Representative Hunter rose in objection, stating that these issues had been discussed in the recent Rules Committee.

House stood at ease.  
House reconvened.

The Speaker stated an appeal was made on the Floor and it was the Speaker's responsibility to respond to that appeal. He ruled to sustain Representative Wittich's appeal as the rules had been circumvented.

Minority Leader Hunter appealed the ruling of the Speaker.

The Speaker called for an immediate meeting of the Rules Committee.

House stood at ease.  
House reconvened.

Representative Essmann reported that the House Rules Committee moved to uphold the ruling of the Speaker.

Minority Leader Hunter appealed the ruling of the Rules Committee.

The motion **carried** as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner,

HOUSE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 8, 2015

Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 52

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 48

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**EDUCATION** (Laszloffy, Chair): 4/8/2015  
**SB 272**, be concurred in. Report adopted.  
**SB 275**, be concurred in. Report adopted.  
**SB 345**, be concurred in. Report adopted.  
**SJR 10**, be amended as follows:

1. Page 1, line 25.

**Following:** "students"

**Insert:** "; and

WHEREAS, collection of student and family information should respect and maintain the privacy of the student and the family"

2. Page 2, line 4.

**Strike:** "and"

3. Page 2, line 6.

**Following:** "parties"

**Insert:** "; and

(4) assess whether the data collection and sharing methods and practices maintain the individual privacy of students and their families"

And, as amended, be concurred in. Report adopted.

**FISH, WILDLIFE AND PARKS** (Flynn, Chair): 4/7/2015  
**SB 334**, be amended as follows:

HOUSE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 8, 2015

1. Title, page 1, line 6.

**Strike:** "87-1-201, 87-1-207,"

**Insert:** "87-1-293,"

**Following:** "87-2-101,"

**Insert:** "87-2-520,"

2. Title, page 1, line 7.

**Following:** "87-2-803,"

**Insert:** "87-3-128,"

3. Page 3, line 19 through page 5, line 27.

**Strike:** section 5 and 6 in their entirety

**Renumber:** subsequent sections

4. Page 5.

**Following:** line 27

**Insert:** "Section 5. Section 87-1-293, MCA, is amended to read:

**"87-1-293. (Temporary) Hunters against hunger -- findings -- optional donation -- rulemaking.** (1) The legislature finds that:

(a) hunters play a vital role in achieving population management objectives for big game animals;

(b) the donation of big game animals to charitable or nonprofit organizations for free distribution to people can help stop hunger; and

(c) hunters should have the option of donating \$1 or more above the purchase price for certain licenses toward a program that would process donated wild game and distribute the meat to those in need.

(2) A person who applies for or purchases a deer, antelope, elk, or wild buffalo license may donate \$1 or more in addition to the price of each license to the hunters against hunger program.

(3) The department shall deposit donations received pursuant to this section into the hunters against hunger account established in 87-1-628.

(4) The department shall adopt rules to implement the provisions of this section, including:

(a) providing the forms necessary for the hunters against hunger donation option;

(b) regulating the payment of funds from the hunters against hunger account to a nonprofit organization exempt from taxation under 26 U.S.C. 501(c)(3) for the processing of donated or seized big game animals; and

(c) establishing guidelines for the donation of big game animals to a nonprofit organization exempt from taxation under 26 U.S.C. 501(c)(3) that is paid from the hunters against hunger account and for the donation of processed game meat to those in need.

(5) In this section, the definitions in 87-2-101 apply. (Terminates June 30, 2019--sec. 7, Ch. 83, L. 2013.)"

**Renumber:** subsequent sections

5. Page 7.

**Following:** line 15

HOUSE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 8, 2015

**Insert:** "Section 7. Section 87-2-520, MCA, is amended to read:

**"87-2-520. Supplemental game damage license -- terms and conditions.** (1) If at any time the department determines, in conjunction with a landowner or a designated lessee acting as an agent for a landowner, that big game animals on the property are causing a level of damage to crops or other vegetation that merits removal of a specific number of big game animals or that the taking of a specific number of big game animals is advisable for game management purposes, the department may issue nontransferable resident and nonresident supplemental game damage hunting licenses for game management purposes on the property.

(2) Supplemental game damage hunting licenses may be issued only for antlerless animals and may be issued only for use on lands eligible for game damage assistance pursuant to 87-1-225. A landowner may not charge a fee to a hunter using a license obtained pursuant to this section.

(3) Supplemental game damage licenses may be issued to hunters as an alternative to issuing a kill permit to a landowner.

(4) (a) In a hunting district with unlimited license quotas, a landowner may designate the resident supplemental game damage license recipient upon approval of issuance.

(b) In a hunting district with limited permit quotas, a landowner may designate up to 75% of the resident supplemental game damage license recipients, with the remainder of the licenses offered to hunters in a manner prescribed by the department.

(5) If additional supplemental game damage licenses are available, the department may issue those licenses to resident and nonresident hunters.

(6) A licensee shall pay the regular license price or an adjusted price set by the commission for any supplemental game management license issued pursuant to subsection (1). Issuance of a supplemental game damage license authorizes the licensee to hunt, take, and possess the big game animal designated on the license. All hunting under a supplemental game damage license must be conducted on the property designated on the license and in accordance with department regulations.""

6. Page 12.

**Following:** line 6

**Insert:** "Section 10. Section 87-3-128, MCA, is amended to read:

**"87-3-128. Exceptions -- department personnel.** The provisions of this chapter relating to methods of herding, driving, capturing, taking, locating, or concentrating of fish; or game animals, ~~game birds, or fur-bearing animals~~ do not apply to the department or to any employee thereof of the department while acting within the scope and course of the powers and duties of the department.""

**Renumber:** subsequent sections

7. Page 26, line 23.

**Following:** "game"

**Insert:** ", fowl, or fur-bearing"

8. Page 28, line 8.

**Strike:** "big"



HOUSE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 8, 2015

**Strike:** "game bird, fur-bearing animal,"

9. Page 28, line 9.

**Strike:** "or birds"

10. Page 35.

**Following:** line 27

**Insert:**        "COORDINATION SECTION. Section 33. Coordination instructions. (1) If House Bill No. 279 and [this act] are passed and approved and if both contain a section that amends 87-6-101, then the reference to "game animal" in 87-6-101(30) in House Bill No. 279 must be changed to "big game animal".

(2) If House Bill No. 150 and [this act] are passed and approved and if both contain a section that amends 87-6-405, then the reference to "game animal" in 87-6-405(2)(a) in House Bill No. 150 must be changed to "big game animal".

(3) If House Bill No. 279 and [this act] are passed and approved and if both contain a section that amends 87-6-411, then the reference to "game animal" in 87-6-411(2) in House Bill No. 279 must be changed to "big game animal".

And, as amended, be concurred in. Report adopted.

**JUDICIARY** (Bennett, Chair):

4/8/2015

**SB 395**, be concurred in. Report adopted.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Lavin in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**SB 169** - Representative Mandeville moved **SB 169** be concurred in.

**SB 169** - Representative B. Bennett moved **SB 169**, second reading copy, be amended as follows:

1. Page 2, line 12 through line 14.

**Following:** "(3)(b), the" on line 12

**Strike:** remainder of line 12 through "CERTIFIED" on line 14

**Insert:** "governor's temporary appointee shall serve only until the governor's new appointee

HOUSE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 8, 2015

under subsection (4)(b) is sworn in"

2. Page 2, line 16.

**Following:** "VACANCY"

**Insert:** "and that appointee shall take office immediately upon being sworn in"

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 42

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 169** - Representative B. Bennett moved **SB 169**, second reading copy, be amended as follows:

1. Title, page 1, line 7.

**Strike:** "ALLOWING"

**Insert:** "REQUIRING"

**Strike:** "CERTAIN"

**Insert:** "A"

**Strike:** "APPOINTMENTS"

**Insert:** "APPOINTMENT"

**Strike:** "VACANCIES"

**Insert:** "A VACANCY"

2. Page 2, line 10.

**Strike:** "may"

HOUSE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 8, 2015

**Insert:** "shall"

3. Page 2, line 12.

**Strike:** "may"

**Insert:** "shall"

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 44

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 56

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 169** - Representative Mandeville moved **SB 169** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

HOUSE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 8, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 176** - Representative Lang moved **SB 176** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hayman, Hess, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 68

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Flynn, Glimm, Hagstrom, Harris, Hertz, Holmlund, Jones, Lamm, Laszloffy, Manzella, Noland, Osmundson, Pinocci, Randall, Regier, Ricci, Schwaderer, Tschida, Wagoner, White, Zolnikov.

Total 32

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 181** - Representative Lang moved **SB 181** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Wittich.

Total 1

HOUSE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 8, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 192** - Representative Clark moved **SB 192** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Mr. Speaker.

Total 69

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Fiscus, Glimm, Harris, Hertz, Hess, Lamm, Laszloffy, Manzella, McKamey, Monforton, Mortensen, Noland, Pinocci, Randall, Regier, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 30

Excused: None.

Total 0

Absent or not voting: Welborn.

Total 1

**SB 210** - Representative Salomon moved **SB 210** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Williams, Wittich, Woods, Mr. Speaker.

Total 78

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Cuffe, Doane, Dudik, Ehli, Fiscus, Hayman, Jones, Laszloffy, Manzella, Meyers, Noland, Peppers, Schreiner, Staffanson, Tropila, Wilson, Zolnikov.

HOUSE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 8, 2015

Total 22

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 217** - Representative Olszewski moved **SB 217** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McCarthy, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McClafferty, McConnell, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 42

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 229** - Representative B. Brown moved **SB 229** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson,

Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

HOUSE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 8, 2015

Total 98

Nays: Doane, Wittich.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Lavin moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Dudik, Fiscus, Lamm, Miller, Tschida, Wittich.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were

HOUSE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 8, 2015

disposed of in the following manner:

**HB 101** passed as follows:

Yeas: B. Bennett, Berry, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry,

Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, White, Williams, Wilson, Woods, Mr. Speaker.

Total 75

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Cook, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Hertz, Jones, Lamm, Laszloffy, Manzella, Monforton, Noland, Pinocci, Schwaderer, Tschida, Welborn, Wittich, Zolnikov.

Total 24

Excused: None.

Total 0

Absent or not voting: Osmundson.

Total 1

**HB 204** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noonan, Olszewski, Perry, Pinocci, Randall, Redfield, Regier, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Williams, Wittich, Zolnikov, Mr. Speaker.

Total 67

Nays: B. Bennett, Dudik, Dunwell, Eck, Ellis, Hayman, Hill, Hunter, Karjala, Kelker, Kipp III, MacDonald, McCarthy, McClafferty, McConnell, Noland, Olsen, Pease-Lopez, Peppers, Person,

Pierson, Pope, Price, Ricci, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Wilson, Woods.

Total 32



HOUSE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 8, 2015

Excused: None.

Total 0

Absent or not voting: Osmundson.

Total 1

**HB 259** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Kelker, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McCarthy, McClafferty, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Peppers, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 61

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Karjala, Kipp III, Lieser, Lynch, MacDonald, McConnell, McKamey, Mehlhoff, Noonan, Olsen, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 38

Excused: None.

Total 0

Absent or not voting: Osmundson.

Total 1

**HB 318** passed as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Flynn, Funk, Garner, Glimm, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 76

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Essmann, Fiscus, Fitzpatrick, Greef, Hagstrom, Hertz, Lamm, Laszloffy, Manzella, Meyers, Miller, Noland, Regier, Schwaderer, Tschida, Wittich.

Total 23

HOUSE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 8, 2015

Excused: None.

Total 0

Absent or not voting: Osmundson.

Total 1

**HB 330** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kipp III, Lang, Laszloffy, Lieser, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 79

Nays: Berry, Court, Dudik, Fitzpatrick, Funk, Garner, Hayman, Kelker, Lamm, Lavin, MacDonald, McKamey, Mehlhoff, Pease-Lopez, Peppers, Schreiner, Tropila, Webber, Welborn, Wittich.

Total 20

Excused: None.

Total 0

Absent or not voting: Osmundson.

Total 1

**HB 334** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Funk, Garner, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Monforton, Moore, Mortensen, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 81

Nays: J. Bennett, Brodehl, B. Brown, Essmann, Flynn, Glimm, Hess, Lamm, McKamey, Miller, Noland, Olszewski, Ricci, Wagoner, Wittich, Zolnikov.

Total 16

HOUSE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 8, 2015

Excused: None.

Total 0

Absent or not voting: Greef, Meyers, Osmundson.

Total 3

**HB 343** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 91

Nays: B. Brown, Glimm, Lamm, McKamey, Monforton, Noland, Redfield, White, Wittich.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 350** passed as follows:

Yeas: B. Bennett, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 75

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Doane, Essmann, Fiscus, Glimm, Harris, Hess, Jones, Lamm, Laszloffy, Manzella, McKamey, Miller, Monforton, Mortensen, Noland, Pinocci, Staffanson, Tschida, White, Wittich.

Total 25

HOUSE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 8, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 439** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Peppers, Smith.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 447** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Mandeville, Manzella, McCarthy, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Perry, Person, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Welborn, White, Wilson, Zolnikov, Mr. Speaker.

Total 77

Nays: Dudik, Fitzpatrick, Hayman, Hill, Hunter, Jacobson, Karjala, Kipp III, Lynch, MacDonald, McClafferty, McConnell, McKamey, Noonan, Pease-Lopez, Peppers, Pierson, Schreiner, Tropila, Webber, Williams, Wittich, Woods.

Total 23

HOUSE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 8, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**MOTIONS**

Majority Leader Regier moved **SB 210** be moved from the Committee of the Whole to the Appropriations Committee.

Minority Leader Hunter moved that **SB 405** be taken from Human Services and brought before the Committee of the Whole, on the 71st Legislative Day.

Representative Miller rose in objection, stating that per H 40-100, SB 405 was moved to Second Reading with amendments intact.

The Speaker ruled the motion out of order.

Representative Wagoner made a substitute motion to adjourn until Thursday, April 9, 2015 at 1:00 p.m.

Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 49

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 51

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Essmann made a substitute motion to postpone consideration on **SB 405** until

HOUSE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 8, 2015

the 71st Legislative Day.

Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 48

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 52

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Motion **passed** as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 52

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 48

Excused: None.

Total 0

HOUSE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 8, 2015

Absent or not voting: None.

Total 0

Representative McCarthy moved to reconsider action on Senate Amendments to **HB 180** and that **HB 180** be placed on second reading, on the 71st Legislative Day.

Motion **passed** as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Funk, Garner, Greef, Hagstrom, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 64

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Harris, Hertz, Hess, Jones, Lamm, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Redfield, Regier, Ricci, Tschida, Wagoner, White, Wittich.

Total 36

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Schwaderer moved that **SB 107** be taken from Education and brought before the Committee of the Whole, Thursday, April 9, 2015.

Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Custer, Doane, Ehli, Fitzpatrick, Flynn, Garner, Glimm, Hagstrom, Harris, Hess, Holmlund, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pease-Lopez, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Wagoner, Webber, Wittich, Mr. Speaker.

Total 46

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Funk, Greef, Hayman, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Jones, Karjala,

HOUSE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 8, 2015

Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Moore, Noonan, Olsen, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Welborn, White, Williams, Wilson, Woods, Zolnikov.

Total 54

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Mandeville moved to adjourn for the Session.

Motion **failed** as follows:

Yeas: Ballance, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Essmann, Fiscus, Flynn, Glimm, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Tschida, White, Wittich, Zolnikov, Mr. Speaker.

Total 40

Nays: B. Bennett, J. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Woods.

Total 60

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**ANNOUNCEMENTS**



HOUSE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 8, 2015

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Thursday, April 9, 2015.  
Motion carried.

House adjourned at 3:19 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
SEVENTY-FIRST LEGISLATIVE DAY**

Helena, Montana  
April 9, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Manzella. Pledge of Allegiance to the Flag. Roll Call. All members present. Quorum present.

**BILLS** (Welborn, Chair):

4/9/2015

Correctly printed: **SB 37, SB 57, SB 68, SB 93, SB 145, SB 261, SB 276, SB 376, SB 393, SB 401, SB 112, SB 160, SB 212, SB 279, SB 293, SB 378, SB 386, SB 414.**

Correctly engrossed: **HJR 2, SB 128, SB 325, SB 353, SB 354, SB 367, SB 399.**

Correctly enrolled: **HB 280, HB 460, HB 470, HB 557, HB 578, HJR 16.**

Signed by the Speaker at 9:30 a.m., April 13, 2015: **HB 101, HB 204, HB 259, HB 318, HB 330, HB 334, HB 343, HB 350, HB 439, HB 447.**

Signed by the Chief Clerk of the House at 11:00 a.m., April 13, 2015: **HB 101, HB 204, HB 259, HB 318, HB 330, HB 334, HB 343, HB 350, HB 439, HB 447.**

Signed by the President at 10:50 a.m., April 9, 2015: **HB 478, HJR 14.**

Delivered to the Governor for approval at 1:32 p.m., April 9, 2015: **HB 478.**

Delivered to the Secretary of State at 12:08 p.m., April 9, 2015: **HJR 14.**

**REPORTS OF STANDING COMMITTEES**

**APPROPRIATIONS** (Ballance, Chair):

4/9/2015

**SB 37**, be concurred in. Report adopted.

**SB 57**, be concurred in. Report adopted.

**SB 68**, be concurred in. Report adopted.

**SB 93**, be concurred in. Report adopted.

**SB 128**, be amended as follows:

1. Page 4, line 30.

**Insert:**        "NEW SECTION.    **Section 3. Appropriation.** There is appropriated from the general fund to the legislative services division for the biennium beginning July 1, 2015, \$55,000 for the purposes of convening the commission under [section 1]. It is intended that the commission hold one 1-week meeting in each year of the biennium."

And, as amended, be concurred in. Report adopted.

**SB 145**, be concurred in. Report adopted.

**SB 261**, be concurred in. Report adopted.

**SB 276**, be concurred in. Report adopted.

**SB 367**, be amended as follows:

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

1. Page 7, line 30.

**Following:** "general fund"

**Insert:** ", less the annual transfer of \$1.275 million to the research and commercialization state special revenue account pursuant to 15-1-122(2),"

And, as amended, be concurred in. Report adopted.

**SB 376**, be concurred in. Report adopted.

**BUSINESS AND LABOR** (Berry, Chair):

4/9/2015

**SB 393**, be concurred in. Report adopted.

**SB 401**, be concurred in. Report adopted.

**SB 414**, be concurred in. Report adopted.

**NATURAL RESOURCES** (White, Chair):

4/8/2015

**SB 112**, be concurred in. Report adopted.

**SB 160**, be concurred in. Report adopted.

**SB 325**, be amended as follows:

1. Page 1, line 25.

**Following:** "STRINGENT THAN THE"

**Insert:** "nonanthropogenic"

2. Page 1, line 25 through line 26.

**Strike:** "SHOWN TO" on line 25 through "SOURCES" on line 26

3. Page 1, line 26.

**Following:** "PARAMETERS"

**Insert:** "for which the applicable standards are more stringent than the nonanthropogenic condition"

**Strike:** "CONCENTRATION"

**Insert:** "condition"

4. Page 1, line 27.

**Following:** "BODY."

**Insert:** "The department shall implement the standard in a manner that provides for the water quality standards for downstream waters to be attained and maintained."

5. Page 2, line 11.

**Following:** "75-5-302,"

**Insert:** "75-5-303,"

And, as amended, be concurred in. Report adopted.

**SB 353**, be amended as follows:

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1368

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

1. Page 1, line 21.

**Strike:** "ninety"

**Insert:** "eighty"

2. Page 1, line 21.

**Strike:** "(90%)"

**Insert:** "(80%)"

3. Page 1, line 22.

**Strike:** "ten"

**Insert:** "twenty"

4. Page 1, line 22.

**Strike:** "(10%)"

**Insert:** "(20%)"

And, as amended, be concurred in. Report adopted.

**SB 354**, be amended as follows:

1. Page 2, line 4.

**Strike:** "facilities" on line 4 through "(1)(f)" on line 4

**Insert:** "statewide law enforcement and emergency radio communication equipment and structures"

2. Page 2, line 8.

**Strike:** "a school district,"

3. Page 3, line 5 through line 6.

**Strike:** "Between" on line 5 through "(1)(f). " on line 6

4. Page 3, line 21.

**Strike:** "governing bodies of school districts"

**Insert:** "an entity responsible for statewide public safety radio communication systems"

5. Page 3, line 21.

**Strike:** "prioritized"

6. Page 4, line 9.

**Strike:** "90%"

**Insert:** "80%"

7. Page 5, line 2.

**Following:** line 1

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

**Insert:** "(4)(a) From July 1, 2005, through June 30, 2025, the state treasurer shall quarterly transfer to the big sky economic development fund 25% of the amount in the coal severance tax bond fund remaining after the transfer provided for in subsection (2)(b) is completed."

8. Page 5, line 2.

**Strike:** "(4)"

**Insert:** "(b)"

9. Page 5, line 24.

**Strike:** "90%"

**Insert:** "80%"

10. Page 6, line 8.

**Following:** line 7

**Insert:** "(4)(a) From July 1, 2005, through June 30, 2025, the state treasurer shall quarterly transfer to the big sky economic development fund 25% of the amount in the coal severance tax bond fund remaining after the transfer provided for in subsection (2)(b) is completed."

**Renumber:** subsequent subsections

11. Page 6, line 8.

**Strike:** "(4)"

**Insert:** "(b)"

And, as amended, be concurred in. Report adopted.

**STATE ADMINISTRATION** (Essmann, Chair):

4/9/2015

**SB 279**, be concurred in. Report adopted.

**SB 293**, be concurred in. Report adopted.

**TAXATION** (Miller, Chair):

4/9/2015

**HJR 2**, introduced joint resolution, be amended as follows:

1. Page 2, line 14.

**Strike:** "\$2,133,018,000" through "\$2,353,508,000"

**Insert:** "\$2,151,786,000, \$2,251,181,000, and \$2,357,877,000"

2. Page 3, line 10.

**Following:** "Tax"

**Strike:** remainder of line 10

**Insert:** "1,063.284                      1,142.481                      1,229.127                      1,311.185"

3. Page 3, line 11.

**Following:** "Tax"

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

**Strike:** remainder of line 11

**Insert:** "250.344        250.239        242.930        252.480"

4. Page 3, line 12.

**Following:** "Tax"

**Strike:** remainder of line 12

**Insert:** "147.548        154.272        179.829        156.851"

5. Page 3, line 13.

**Following:** "Fees"

**Strike:** remainder of line 13

**Insert:** "101.088        103.500        106.200        108.600"

6. Page 3, line 14.

**Following:** "Tax"

**Strike:** remainder of line 14

**Insert:** "109.606        78.811        59.250        68.589"

7. Page 3, line 15.

**Following:** "Fees"

**Strike:** remainder of line 15

**Insert:** "60.873        67.787        72.325        74.877"

8. Page 3, line 16.

**Following:** "Tax"

**Strike:** remainder of line 16

**Insert:** "57.147        60.029        62.007        64.966"

9. Page 3, line 17.

**Following:** "Subtotal"

**Strike:** remainder of line 17

**Insert:** "1,789.890        1,857.118        1,951.668        2,037.548"

10. Page 3, line 19.

**Following:** "Fee"

**Strike:** remainder of line 19

**Insert:** "4.051        4.395        4.081        4.465"

11. Page 3, line 21.

**Following:** "Taxes"

**Strike:** remainder of line 21

**Insert:** "17.725        20.079        21.872        23.835"

12. Page 4, line 2.

**Following:** "Tax"

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

**Strike:** remainder of line 2

**Insert:** "2.418            3.641            3.741            3.883"

13. Page 4, line 3.

**Following:** "Tax"

**Strike:** remainder of line 3

**Insert:** "3.521            3.714            3.818            4.012"

14. Page 4, line 4.

**Following:** "Tax"

**Strike:** remainder of line 4

**Insert:** "19.657            19.239            18.999            18.842"

15. Page 4, line 5.

**Following:** "Subtotal"

**Strike:** remainder of line 5

**Insert:** "55.374            61.141            63.483            66.081"

16. Page 4, line 7.

**Following:** "Tax"

**Strike:** remainder of line 7

**Insert:** "14.745            15.629            16.164            16.642"

17. Page 4, line 8.

**Following:** "Tax"

**Strike:** remainder of line 8

**Insert:** "4.280            4.738            4.580            4.553"

18. Page 4, line 9.

**Following:** "Tax"

**Strike:** remainder of line 9

**Insert:** "7.948            8.238            8.311            7.918"

19. Page 4, line 10.

**Following:** "Royalty"

**Strike:** remainder of line 10

**Insert:** "27.744            26.109            24.069            24.675"

20. Page 4, line 11.

**Following:** "Tax"

**Strike:** remainder of line 11

**Insert:** "3.112            3.623            3.595            3.565"

21. Page 4, line 12.

**Following:** "Subtotal"

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

**Strike:** remainder of line 12

**Insert:** "57.828            58.337            56.719            57.352"

22. Page 4, line 14.

**Following:** "Interest"

**Strike:** remainder of line 14

**Insert:** "21.996            20.470            19.842            22.485"

23. Page 4, line 15.

**Following:** "Interest"

**Strike:** remainder of line 15

**Insert:** "1.756            1.605            8.527            20.786"

24. Page 4, line 16.

**Following:** "Subtotal"

**Strike:** remainder of line 16

**Insert:** "23.752            22.075            28.368            43.271"

25. Page 4, line 18.

**Following:** "Tax"

**Strike:** remainder of line 18

**Insert:** "3.023            3.095            3.129            3.189"

26. Page 4, line 19.

**Following:** "Tax"

**Strike:** remainder of line 19

**Insert:** "30.623            30.713            31.036            30.453"

27. Page 4, line 20.

**Following:** "Tax"

**Strike:** remainder of line 20

**Insert:** "18.418            18.950            19.472            20.300"

28. Page 4, line 21.

**Following:** "Profits"

**Strike:** remainder of line 21

**Insert:** "10.500            10.663            11.035            11.530"

29. Page 5, line 1.

**Following:** "Profits"

**Strike:** remainder of line 1

**Insert:** "12.091            12.177            11.631            13.439"

30. Page 5, line 2.

**Following:** "Tax"



HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

**Strike:** remainder of line 2

**Insert:** "5.929            6.233            6.396            6.559"

31. Page 5, line 3.

**Following:** "Tax"

**Strike:** remainder of line 3

**Insert:** "2.250            2.298            2.363            2.434"

32. Page 5, line 4.

**Following:** "Subtotal"

**Strike:** remainder of line 4

**Insert:** "82.834            84.130            85.062            87.904"

33. Page 5, line 6.

**Following:** "Revenue"

**Strike:** remainder of line 6

**Insert:** "37.320            40.096            37.119            37.133"

34. Page 5, line 9.

**Following:** "Reimbursements"

**Strike:** remainder of line 9

**Insert:** "17.298            16.630            16.606            16.570"

35. Page 5, line 11.

**Following:** "Subtotal"

**Strike:** remainder of line 11

**Insert:** "67.367            68.986            65.881            65.723"

36. Page 5, line 12.

**Following:** "Fund"

**Strike:** remainder of line 12

**Insert:** "\$2,077.044    \$2,151.786    \$2,251.181    \$2,357.877"

37. Page 5, line 17.

**Following:** "growth"

**Strike:** remainder of line 17

**Insert:** "6.2% 5.2% 6.2% 6.7%"

38. Page 5, line 18.

**Following:** "growth"

**Strike:** remainder of line 18

**Insert:** "-0.3%            -0.7% 8.8% 25.2%"

39. Page 5, line 19.

**Following:** "growth"

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

**Strike:** remainder of line 19

**Insert:** "3.7% 6.4% 3.4% 1.1%"

40. Page 6, line 1.

**Following:** "growth"

**Strike:** remainder of line 1

**Insert:** "-0.4% 2.2% -0.2% 2.3%"

41. Page 6, line 2.

**Following:** "growth"

**Strike:** remainder of line 2

**Insert:** "19.1% 1.1% 7.4% 4.2%"

42. Page 6, line 5.

**Following:** "growth"

**Strike:** remainder of line 5

**Insert:** "2.9% 5.0% 2.2% -2.5%"

43. Page 6, line 6.

**Following:** "growth"

**Strike:** remainder of line 6

**Insert:** "12.7% 10.8% 8.8% 7.5%"

44. Page 6, line 7.

**Following:** "growth"

**Strike:** remainder of line 7

**Insert:** "6.2% 6.7% 6.8% 6.2%"

45. Page 6, line 9.

**Following:** "growth"

**Strike:** remainder of line 9

**Insert:** "8.6% 7.8% 7.5% 6.9%"

46. Page 6, line 10.

**Strike:** the first "0.0%"

**Insert:** "5.0%"

47. Page 6, line 11.

**Following:** "growth"

**Strike:** remainder of line 11

**Insert:** "0.0% 0.0% 0.0% 0.0%"

48. Page 6, line 12.

**Strike:** the first "0.0%"

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

**Insert:** "-20.0%"

49. Page 6, line 13.

**Following:** "growth"

**Strike:** remainder of line 13

**Insert:** "1.2% 1.7% -0.5% 0.2%"

50. Page 6, line 15.

**Strike:** "1.0%"

**Insert:** "-0.3%"

51. Page 6, line 16.

**Following:** "factor"

**Strike:** remainder of line 16

**Insert:** "2.1% -1.0% 2.2% 2.4%"

52. Page 6, line 17.

**Following:** "adjustment"

**Strike:** remainder of line 17

**Insert:** "101.0%        102.1%        103.5%        104.6%"

53. Page 6, line 18.

**Following:** "adjustment"

**Strike:** remainder of line 18

**Insert:** "107.4%        107.4%        107.4%        107.4%"

54. Page 6, line 21.

**Following:** "growth"

**Strike:** remainder of line 21

**Insert:** "17.5%        7.8% 6.3% 6.4%"

55. Page 7, line 2.

**Following:** "(Millions)"

**Strike:** remainder of line 2

**Insert:** "\$41.744        \$44.910        \$47.909"

56. Page 7, line 3.

**Strike:** line 3

57. Page 7, line 5.

**Following:** "(Millions)"

**Strike:** remainder of line 5

**Insert:** "\$3.791        \$3.879        \$4.025"

58. Page 7, line 6.

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

**Following:** "(Millions)"

**Strike:** remainder of line 6

**Insert:** "\$25.555      \$26.151      \$27.136"

59. Page 7, line 8.

**Following:** "(Millions)"

**Strike:** remainder of line 8

**Insert:** "\$1,521.371    \$1,446.232    \$1,500.814"

60. Page 7, line 14.

**Strike:** "\$81.767"

**Insert:** "\$83.369"

61. Page 7, line 18.

**Following:** "(Millions)"

**Strike:** remainder of line 18

**Insert:** "\$20.855      \$20.463      \$21.315"

62. Page 7, line 19.

**Following:** "(Millions)"

**Strike:** remainder of line 19

**Insert:** "\$45.187      \$44.216      \$47.541"

63. Page 7, line 21.

**Following:** "(\$/barrel)"

**Strike:** remainder of line 21

**Insert:** "\$92.97      \$45.03      \$58.92      \$68.83"

64. Page 8, line 1.

**Following:** "(\$/barrel)"

**Strike:** remainder of line 1

**Insert:** "\$94.46      \$43.83      \$58.50      \$68.19"

65. Page 8, line 2.

**Following:** "(Millions)"

**Strike:** remainder of line 2

**Insert:** "\$18,317      \$18,569      \$19,517      \$20,538"

66. Page 8, line 3.

**Following:** "(\$)"

**Strike:** remainder of line 3

**Insert:** "\$201,603      \$211,331      \$219,090      \$231,610"

67. Page 8, line 4.

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

**Following:** "(Millions)"

**Strike:** remainder of line 4

**Insert:** "1.025 1.034 1.043 1.051"

68. Page 8, line 5.

**Following:** "(Thousands)"

**Strike:** remainder of line 5

**Insert:** "17.142        17.465        17.702        17.856"

69. Page 8, line 6.

**Following:** "paper"

**Strike:** remainder of line 6

**Insert:** "0.10%        0.49% 1.71% 3.46%"

70. Page 8, line 8.

**Following:** "(Millions)"

**Strike:** remainder of line 8

**Insert:** "\$35.604        \$21.767        \$19.037"

71. Page 8, line 9.

**Following:** "(Millions)"

**Strike:** remainder of line 9

**Insert:** "-\$23.773        -\$25.116        -\$21.966"

72. Page 8, line 9.

**Following:** line 9

<b>Insert:</b>	"FY	Bias Adjustment (Millions)	--	--	\$11.739	\$11.848	
	FY	Joint Subcommittee Adjustment for Taxpayer Behavior (Millions)	--	--			-\$25.00
	\$25.00	--					

73. Page 8, line 12.

**Following:** "(Thousands)"

**Strike:** remainder of line 12

**Insert:** "63.433        65.815        66.516"

74. Page 8, line 13.

**Following:** "(Millions)"

**Strike:** remainder of line 13

**Insert:** "16.735        17.098        17.476"

75. Page 8, line 14.

**Following:** "(Millions)"

**Strike:** remainder of line 14

**Insert:** "264.935        268.821        272.653"

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

76. Page 8, line 14.

**Following:** line 14

**Insert:** "FY Joint Subcommittee Adjustment (Millions) -- \$1.417 \$2.512\$3.511"

77. Page 8, line 16.

**Following:** "\$/barrel)"

**Strike:** remainder of line 16

**Insert:** "\$92.97 \$45.03 \$58.92 \$68.83"

78. Page 8, line 19.

**Following:** "(Million barrels)"

**Strike:** remainder of line 19

**Insert:** "29.168 27.993 26.732 25.768"

79. Page 8, line 21.

**Following:** "(Million barrels)"

**Strike:** remainder of line 21

**Insert:** "7.895 6.071 3.695 3.596"

80. Page 9, line 1.

**Following:** "\$/MCF)"

**Strike:** remainder of line 1

**Insert:** "\$4.37 \$2.89 \$3.20 \$3.64"

81. Page 9, line 2.

**Following:** "ratio"

**Strike:** remainder of line 2

**Insert:** "0.77 0.77 0.77 0.77"

82. Page 9, line 4.

**Following:** "(Million MCFs)"

**Strike:** remainder of line 4

**Insert:** "64.601 56.692 48.711 41.015"

83. Page 9, line 6.

**Following:** "(Million MCFs)"

**Strike:** remainder of line 6

**Insert:** "6.107 4.580 2.546 2.439"

84. Page 9, line 7.

**Following:** "rigs"

**Strike:** remainder of line 7

**Insert:** "5 5 5 5"

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

85. Page 9, line 8.

**Strike:** line 8

86. Page 9, line 10.

**Following:** "rates"

**Strike:** remainder of line 10

**Insert:** "3.61%            3.94% 4.70%"

87. Page 9, line 11.

**Following:** "(Thousands)"

**Strike:** remainder of line 11

**Insert:** "21.309            22.182            22.495"

88. Page 9, line 12.

**Following:** "index"

**Strike:** remainder of line 12

**Insert:** "2,045            2,170            2,248"

89. Page 9, line 14.

**Following:** "(Millions)"

**Strike:** remainder of line 14

**Insert:** "\$42,075            \$43,537            \$45,723"

90. Page 9, line 15.

**Strike:** line 15

91. Page 9, line 19.

**Following:** "(Millions)"

**Strike:** remainder of line 19

**Insert:** "0.832            0.840            0.847"

92. Page 9, line 21.

**Following:** "index"

**Strike:** remainder of line 21

**Insert:** "2.358            2.372            2.431"

93. Page 10, line 1.

**Following:** "index"

**Strike:** remainder of line 1

**Insert:** "2,045            2,170            2,248"

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

94. Page 10, line 3.

**Strike:** line 3

**Insert:** "FY     Consumer spending on accommodations (Billions) --        \$116    \$123    \$128  
         FY     Joint Subcommittee Adjustment (Millions)    --        \$0.339        \$ 0 . 9 0 4  
         \$2.051"

95. Page 10, line 9.

**Following:** "(Millions)"

**Strike:** remainder of line 9

**Insert:** "\$17,303        \$17,890        \$18,437"

96. Page 10, line 11.

**Following:** "(Millions)"

**Strike:** remainder of line 11

**Insert:** "\$18,437        \$19,000        \$20,046"

97. Page 10, line 14.

**Following:** "(Millions)"

**Strike:** remainder of line 14

**Insert:** "0.828        0.836        0.843"

98. Page 10, line 20.

**Following:** "\$/ton)"

**Strike:** remainder of line 20

**Insert:** "\$12.37        \$12.39        \$12.61        \$12.90"

99. Page 10, line 21.

**Following:** "(Million tons)"

**Strike:** remainder of line 21

**Insert:** "37.313        38.159        38.410        38.865"

100. Page 11, line 2.

**Following:** "(kwh)"

**Strike:** remainder of line 2

**Insert:** "23,691        22,900        22,763"

101. Page 11, line 4.

**Following:** "\$/lb)"

**Strike:** remainder of line 4

**Insert:** "--        \$3.03    \$3.10    \$3.18"

102. Page 11, line 5.

**Following:** "\$/oz)"

**Strike:** remainder of line 5

**Insert:** "--        \$19    \$19.63        \$19.81"



HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

103. Page 11, line 6.

**Following:** "\$/oz)"

**Strike:** remainder of line 6

**Insert:** "--      \$1,264            \$1,283            \$1,270"

104. Page 11, line 8.

**Following:** "\$/oz)"

**Strike:** remainder of line 8

**Insert:** "--      \$859    \$883    \$898"

105. Page 11, line 9.

**Following:** "\$/oz)"

**Strike:** remainder of line 9

**Insert:** "--      \$1,409            \$1,469            \$1,481"

106. Page 11, line 12.

**Following:** "\$/barrel)"

**Strike:** remainder of line 12

**Insert:** "--      \$45.16            \$47.92            \$59.73"

107. Page 11, line 13.

**Following:** "(Million barrels)"

**Strike:** remainder of line 13

**Insert:** "--      2.170            1.961            1.751 "

108. Page 11, line 14.

**Following:** "\$/ton)"

**Strike:** remainder of line 14

**Insert:** " --      \$17.03            \$17.28            \$18.04"

109. Page 11, line 15.

**Following:** "(Million tons)"

**Strike:** remainder of line 15

**Insert:** "--      21.003            19.335            19.380"

110. Page 11, line 16.

**Following:** "\$/MCF)"

**Strike:** remainder of line 16

**Insert:** "--      \$2.96    \$2.97            \$3.40"

111. Page 11, line 18.

**Following:** "(Million MCFs)"

**Strike:** remainder of line 18

**Insert:** "--      9.609    7.849            7.849"

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

112. Page 11, line 19.

**Following:** "(Millions)"

**Strike:** remainder of line 19

**Insert:** "\$10.374        \$10.374        \$10.374"

113. Page 11, line 21.

**Following:** "(kwh)"

**Strike:** remainder of line 21

**Insert:** "24,897        24,701        24,491"

114. Page 12, line 3.

**Following:** "rates"

**Strike:** remainder of line 3

**Insert:** "0.25%        1.02% 2.45%"

115. Page 12, line 4.

**Following:** "rates"

**Strike:** remainder of line 4

**Insert:** "3.61%        3.94% 4.70%"

116. Page 12, line 6.

**Following:** "rates"

**Strike:** remainder of line 6

**Insert:** "0.25%        1.02% 2.45%"

117. Page 12, line 7.

**Following:** "(Millions)"

**Strike:** remainder of line 7

**Insert:** "\$823.043        \$837.161        \$847.952"

118. Page 12, line 10.

**Following:** "(Thousands)"

**Strike:** remainder of line 10

**Insert:** "\$55.648        \$57.859        \$60.046"

119. Page 12, line 12.

**Following:** "(Millions)"

**Strike:** remainder of line 12

**Insert:** "0.767        0.775        0.782"

120. Page 12, line 13.

**Following:** "(Millions)"

**Strike:** remainder of line 13

**Insert:** "\$18,437        \$19,000        \$20,046"

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

121. Page 12, line 15.

**Following:** "(Millions)"

**Strike:** remainder of line 15

**Insert:** "\$108.053      \$108.972      \$111.247"

122. Page 12, line 16.

**Following:** "tobacco"

**Strike:** remainder of line 16

**Insert:** "126    130    137"

123. Page 12, line 18.

**Following:** "(Millions)"

**Strike:** remainder of line 18

**Insert:** "8.468            8.724            8.979"

124. Page 12, line 19.

**Following:** "growth"

**Strike:** remainder of line 19

**Insert:** "0.36%            0.60% 2.47%"

125. Page 12, line 21.

**Following:** "(Millions)"

**Strike:** remainder of line 21

**Insert:** "8.468            8.724            8.979"

126. Page 13, line 1.

**Following:** "growth"

**Strike:** remainder of line 1

**Insert:** "0.36%            0.60% 2.47%"

127. Page 13, line 3.

**Following:** "(Millions)"

**Strike:** remainder of line 3

**Insert:** "\$18,437      \$19,000      \$20,046"

128. Page 13, line 4.

**Following:** "rates"

**Strike:** remainder of line 4

**Insert:** "0.25%            1.02% 2.45%"

129. Page 13, line 7.

**Following:** "(Millions)"

**Strike:** remainder of line 7

**Insert:** "0.807            0.814            0.822"

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

130. Page 13, line 8.

**Following:** "(Millions)"

**Strike:** remainder of line 8

**Insert:** "\$18,437        \$19,000        \$20,046"

131. Page 13, line 11.

**Following:** "(Millions)"

**Strike:** remainder of line 11

**Insert:** "0.767        0.775        0.782"

132. Page 13, line 16.

**Following:** "(Millions)"

**Strike:** remainder of line 16

**Insert:** "0.832        0.840        0.847"

133. Page 13, line 20.

**Following:** "population"

**Strike:** remainder of line 20

**Insert:** "452    451    448"

134. Page 14, line 1.

**Following:** "(Billions)"

**Strike:** remainder of line 1

**Insert:** "\$588   \$603   \$630   \$664"

135. Page 14, line 3.

**Following:** "\$)"

**Strike:** remainder of line 3

**Insert:** "\$40,539        \$41,287        \$42,718        \$44,712"

136. Page 14, line 5.

**Following:** "(Billions)"

**Strike:** remainder of line 5

**Insert:** "\$503   \$536   \$565   \$592"

137. Page 14, line 7.

**Following:** "\$)"

**Strike:** remainder of line 7

**Insert:** "\$46,166        \$47,559        \$49,361        \$51,538"

138. Page 15, line 1.

**Following:** "Mill"

**Strike:** remainder of line 1

**Insert:** "16.156        16.031        15.775        16.432"

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

139. Page 15, line 4.

**Following:** "Tax"

**Strike:** remainder of line 4

**Insert:** "2.279            2.419            2.505            2.559"

140. Page 15, line 5.

**Following:** "Subtotal"

**Strike:** remainder of line 5

**Insert:** "20.954            4.556            4.559            4.576"

141. Page 15, line 8.

**Following:** "Income"

**Strike:** remainder of line 8

**Insert:** "49.676            50.182            48.825            48.362"

142. Page 15, line 9.

**Strike:** "0.472"

**Insert:** "0.471"

143. Page 15, line 10.

**Following:** "Income"

**Strike:** remainder of line 10

**Insert:** "0.275            0.286            0.288            0.284"

144. Page 15, line 11.

**Following:** "Trust"

**Strike:** remainder of line 11

**Insert:** "2.822            3.090            3.256            3.471"

145. Page 15, line 12.

**Following:** "Interest"

**Strike:** remainder of line 12

**Insert:** "0.906            0.911            0.891            0.875"

146. Page 15, line 13.

**Following:** "Income"

**Strike:** remainder of line 13

**Insert:** "0.345            0.387            0.394            0.400"

147. Page 15, line 14.

**Following:** "Interest"

**Strike:** remainder of line 14

**Insert:** "2.993            3.210            3.267            -- "

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

148. Page 15, line 16.

**Following:** "Interest"

**Strike:** remainder of line 16

**Insert:** "6.592            7.040            7.174            7.277"

149. Page 15, line 18.

**Following:** "Interest"

**Strike:** remainder of line 18

**Insert:** "9.356            9.708            9.836            10.074"

150. Page 15, line 19.

**Following:** "Subtotal"

**Strike:** remainder of line 19

**Insert:** "78.432            80.250            79.247            75.623"

151. Page 16, line 2.

**Following:** "Tax"

**Strike:** remainder of line 2

**Insert:** "135.817            138.917            137.455            139.183"

152. Page 16, line 5.

**Following:** "Subtotal"

**Strike:** remainder of line 5

**Insert:** "251.136            255.567            254.980            258.484"

153. Page 16, line 7.

**Following:** "Sources"

**Strike:** remainder of line 7

**Insert:** "\$366.678            \$356.403            \$354.560            \$355.115"

154. Page 16, line 11.

**Following:** "(Millions)"

**Strike:** remainder of line 11

**Insert:** "\$2,588.389            \$2,539.556            \$2,646.896"

155. Page 16, line 12.

**Following:** "(Millions)"

**Strike:** remainder of line 12

**Insert:** "\$20.855            \$20.463            \$21.315"

156. Page 16, line 13.

**Following:** "(Millions)"

**Strike:** remainder of line 13

**Insert:** "\$45.187            \$44.216            \$47.541"

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

157. Page 16, line 18.

**Following:** "(Millions)"

**Strike:** remainder of line 18

**Insert:** "\$2.102            \$2.188            \$2.241"

158. Page 17, line 6.

**Following:** "Rate"

**Strike:** remainder of line 6

**Insert:** "0.25%            1.02% 2.45%"

159. Page 17, line 8.

**Following:** "Rate"

**Strike:** remainder of line 8

**Insert:** "3.87%            3.65% 3.43%"

160. Page 17, line 9.

**Following:** "Rate"

**Strike:** remainder of line 9

**Insert:** "0.25%            1.02% 2.45%"

161. Page 17, line 12.

**Following:** "Rate"

**Strike:** remainder of line 12

**Insert:** "0.25%            1.02% 2.45%"

162. Page 17, line 15.

**Following:** "Rate"

**Strike:** remainder of line 15

**Insert:** "0.25%            1.02% 2.45%"

163. Page 17, line 17.

**Following:** "Rate"

**Strike:** remainder of line 17

**Insert:** "3.87%            3.65% 3.43%"

164. Page 17, line 18.

**Following:** "Rate"

**Strike:** remainder of line 18

**Insert:** "0.25%            1.02% 2.45%"

165. Page 17, line 21.

**Following:** "Rate"

**Strike:** remainder of line 21

**Insert:** "0.25%            1.02% 2.45%"

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

166. Page 18, line 3.

**Following:** "Rate"

**Strike:** remainder of line 3

**Insert:** "0.25%        1.02% 2.45%"

167. Page 18, line 6.

**Following:** "Rate"

**Strike:** remainder of line 6

**Insert:** "0.25%        1.02% 2.45%"

168. Page 18, line 9.

**Following:** "Rate"

**Strike:** remainder of line 9

**Insert:** "0.25%        1.02% 2.45%"

169. Page 18, line 12.

**Following:** "Rate"

**Strike:** remainder of line 12

**Insert:** "0.25%        1.02% 2.45%"

And, as amended, be adopted. Report adopted.

**SB 212**, be concurred in. Report adopted.

**SB 378**, be concurred in. Report adopted.

**SB 386**, be concurred in. Report adopted.

**SB 399**, be amended as follows:

1. Title, page 1, line 4.

**Strike:** "CREATING"

**Insert:** "AUTHORIZING THE CREATION OF"

2. Title, page 1, line 11.

**Following:** "CONTRIBUTIONS;"

**Insert:** "AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES TO  
CONTRACT WITH ANOTHER STATE TO ALLOW MONTANA RESIDENTS ACCESS TO  
THE OTHER STATE'S 529A PROGRAM;"

3. Page 1, line 22 through line 23.

**Strike:** "establish" on line 22 through "experience" on line 23

**Insert:** "give Montana residents access to a"

**Strike:** "as" on line 23



HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

4. Page 1, line 29 through line 30.

**Strike:** "most" on line 29 through "through" on line 30

**Insert:** "by:

(a) creating the Montana achieving a better life experience program, which is"

5. Page 2, line 1.

**Following:** "act"

**Insert:** "; or

(b) contracting with another state that has a program under section 529A of the Internal Revenue Code, 26 U.S.C. 529A, and that allows Montana residents to participate in the state's program"

6. Page 3, line 28 through line 29.

**Strike:** "The" on line 28 through the first "program" on line 29

**Insert:** "If the department creates the Montana achieving a better life experience program, it shall ensure that the program"

7. Page 4, line 12 through line 13.

**Strike:** subsection (3) in its entirety

**Insert:** "(3) The department may implement the program by contracting with another state as provided under 26 U.S.C. 529A(e)(7). If the department creates the program, it shall:"

8. Page 4, line 14.

**Strike:** "(4)" through "shall"

**Insert:** "(a)"

9. Page 4, line 15 through line 16.

**Following:** "26 U.S.C. 529A"

**Strike:** "." on line 15 through "As" on line 16

**Insert:** ";

(b) as"

10. Page 4, line 16 through line 17.

**Strike:** "the board" on line 16 through "shall" on line 17

11. Page 4, line 18.

**Strike:** "(a)"

**Insert:** "(i)"

12. Page 4, line 21.

**Strike:** "(b)"

**Insert:** "(ii)"

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

13. Page 4, line 23.

**Following:** line 22

**Insert:** "(4) If the department creates the Montana achieving a better life experience program, the department may contract with other states to allow the residents of those states access to the program.

(5) If the department contracts with another state to allow Montana residents access to the other state's program, the department shall ensure that the state's program complies with the requirements of 26 U.S.C. 529A."

14. Page 4, line 25.

**Strike:** "There" through "experience"

**Insert:** "If the department creates the Montana achieving a better life experience program, there must be a"

15. Page 4, line 27.

**Strike:** "consists"

**Insert:** "must consist"

16. Page 6, line 30.

**Following:** line 30

**Insert:** "(9) Application fees provided for in subsection (1)(c) must be deposited in the state special revenue fund to the credit of the department for the administration of the achieving a better life experience program."

17. Page 13, line 6.

**Strike:** "the"

**Insert:** "any"

**Following:** "account"

**Insert:** "established pursuant to 26 U.S.C. 529A"

18. Page 13, line 9.

**Strike:** "There"

**Insert:** "If the department creates the Montana achieving a better life experience program, there"

19. Page 18, line 17.

**Following:** "program"

**Insert:** "or to a qualified program established and maintained by another state as provided by section 529A(e)(7) of the Internal Revenue Code, 26 U.S.C. 529A(e)(7),"

And, as amended, be concurred in. Report adopted.

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

**MESSAGES FROM THE SENATE**

**House bill not** concurred in and returned to the House: 4/8/2015

**HB 378**, introduced by Richmond

**House amendments to Senate bills** concurred in: 4/8/2015

**SB 48**, introduced by Vincent

**SB 101**, introduced by Driscoll

**SB 150**, introduced by Windy Boy

Conference Committee Report No.1 adopted: 4/8/2015

**SB 126**, introduced by Webb

**HB 226** - The Senate acceded to the request of the House and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on Senate amendments to **HB 226**:

4/9/2015

Senator Vincent, Chair

Senator Brenden

Senator Kaufmann

**HB 118** - The Senate acceded to the request of the House and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on Senate amendments to **HB 118**:

4/9/2015

Senator Buttrey, Chair

Senator D. Brown

Senator Facey

**MESSAGES FROM THE GOVERNOR**

April 8, 2015

The Honorable Austin Knudsen

Speaker of the House

State Capitol

Helena, Montana 59620

Dear Speaker Knudsen:

Please be informed that I have signed **House Bill 36** sponsored by Representative Lynch, **House Bill 39** sponsored by Representative Price, **House Bill 40** sponsored by Representative Berry,

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

**House Bill 49** sponsored by Representative Perry, **House Bill 100** sponsored by Representative Garner, **House Bill 111** sponsored by Representative Regier, **House Bill 241** sponsored by Representative Berry, **House Bill 272** sponsored by Representative Hill, **House Bill 367** sponsored by Representative Custer, **House Bill 372** sponsored by Representative Garner, **House Bill 429** sponsored by Representative Hill, **House Bill 507** sponsored by Representative Pierson, and **House Bill 537** sponsored by Representative Berry on April 8, 2015.

I have also delivered **House Bill 135** sponsored by Representative Eck to the Secretary of State without signature.

I am returning **House Bill 145** sponsored by Representative Cuffe with amendments.

Sincerely,

STEVE BULLOCK  
Governor

**FIRST READING AND COMMITMENT OF BILLS**

The following House joint resolution was introduced, read first time, and referred to committee:

**HJR 28**, introduced by M. Cuffe, referred to State Administration.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative McCarthy in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 180** - Majority Leader Regier moved consideration of **HB 180** be placed at the top of the second agenda. Motion carried.

**SB 230** - Representative Flynn moved **SB 230** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson,

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 258** - Representative Fitzpatrick moved **SB 258** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 86

Nays: B. Brown, Hertz, Hess, Holmlund, Kipp III, Manzella, Mortensen, Osmundson, Ricci, Schwaderer, Staffanson, Wagoner, Wittich, Zolnikov.  
Total 14

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 280** - Representative Fitzpatrick moved **SB 280** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin,

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.

Total 56

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Williams, Wilson, Wittich, Woods.

Total 44

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 281** - Representative Fitzpatrick moved **SB 281** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Welborn, White, Zolnikov, Mr. Speaker.

Total 54

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hess, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Williams, Wilson, Wittich, Woods.

Total 46

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 294** - Representative Randall moved **SB 294** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann,

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 318** - Representative Garner moved **SB 318** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 90

Nays: Brodehl, Hagstrom, Lamm, Miller, Noland, Schwaderer, Staffanson, White, Zolnikov.

Total 9

Excused: None.

Total 0

Absent or not voting: Shaw.

Total 1

**SB 355** - Representative Fitzpatrick moved **SB 355** be concurred in. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Hayman, Hill,

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Woods.  
Total 61

Nays: Ballance, Berglee, Brodehl, B. Brown, Burnett, Doane, Ehli, Fiscus, Flynn, Glimm, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, Wittich, Zolnikov, Mr. Speaker.  
Total 39

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 390** - Representative Hunter moved **SB 390** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 86

Nays: B. Brown, Doane, Glimm, Manzella, Miller, Monforton, Mortensen, Noland, Pinocci, Redfield, Schwaderer, Wagoner, Wittich, Zolnikov.  
Total 14

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 34** - Representative G. Bennett moved **SB 34** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn,



HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Steenberg, Tropila, Tschida, Wagoner, Welborn, White, Williams, Wilson, Wittich, Zolnikov, Mr. Speaker.

Total 84

Nays: Court, Dudik, Dunwell, Funk, Hayman, Kelker, MacDonald, McClafferty, Mehlhoff, Olsen, Peppers, Perry, Smith, Swanson, Webber, Woods.

Total 16

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 148** - Representative Wittich moved **SB 148** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, Z. Brown, Clark, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 42

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 216** - Representative Redfield moved **SB 216** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef,

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 62

Nays: B. Bennett, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 38

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair McCarthy moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: B. Bennett, Dudik, Dunwell, Eck, MacDonald, Olsen, Price, Wilson.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Randall in the chair.

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**SB 354** - Majority Leader Regier moved consideration of **SB 354** be placed at the bottom of the second reading board. Motion carried.

**HB 180 - Senate Amendments** - Representative B. Smith moved Senate amendments to **HB 180** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Regier, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 80

Nays: J. Bennett, Brodehl, B. Brown, Burnett, Essmann, Glimm, Hess, Jones, Lamm, McKamey, Monforton, Noland, Pinocci, Redfield, Ricci, Tschida, Wagoner, Wittich, Zolnikov.  
Total 19

Excused: None.  
Total 0

Absent or not voting: Hagstrom.  
Total 1

**SB 325** - Representative White moved **SB 325** do be concurred in.

**SB 325** - Representative G. Bennett moved **SB 325**, second reading copy, be amended as follows:

1. Page 1, line 23 through line 24.

**Strike:** "UNLESS" on line 23 through "USES, THE" on line 24

**Insert:** "The"

Amendment adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Jones, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McKamey, Mehlhoff,

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

Meyers, Monforton, Moore, Mortensen, Noland, Pinocci, Randall, Regier, Richmond, Schreiner, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Webber, White, Wittich, Zolnikov, Mr. Speaker.

Total 51

Nays: B. Bennett, Z. Brown, Clark, Court, Cuffe, Curdy, Dudik, Dunwell, Eck, Ellis, Flynn, Funk, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, MacDonald, McCarthy, McClafferty, McConnell, Miller, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Ricci, Salomon, Smith, Steenberg, Swanson, Tropila, Welborn, Williams, Wilson, Woods.

Total 49

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 325** - Representative White moved **SB 325**, as amended, be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McCarthy, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.

Total 62

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Flynn, Funk, Hayman, Hill, Hunter, Karjala, Kelker, Kipp III, Lieser, MacDonald, McClafferty, McConnell, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods.

Total 38

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

**SB 123** - Representative Berry moved **SB 123** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Funk, Garner, Greef, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 60

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Fiscus, Flynn, Glimm, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 40

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 126 - Conference Committee Report No. 1** - Representative Berglee moved the Conference Committee report to **SB 126** be adopted. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, Burnett, Clark, Cook, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Person, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Welborn, White, Zolnikov, Mr. Speaker.

Total 54

Nays: B. Bennett, Berry, B. Brown, Z. Brown, Court, Cuffe, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hess, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Williams, Wilson, Wittich, Woods.

Total 46

Excused: None.

Total 0

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

Absent or not voting: None.

Total 0

**SB 149** - Representative Wagoner moved **SB 149** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Randall moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 88

Nays: B. Bennett, Hertz, MacDonald, Peppers, Price, Smith, Tropila, Williams.

Total 8

Excused: Hagstrom, Shaw.

Total 2

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

Absent or not voting: Doane, Fiscus.

Total 2

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Randall in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**SB 213** - Representative Laszloffy moved **SB 213** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Schwaderer.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 405** - Representative Cook moved **SB 405** be concurred in.

**SB 405** - Representative Cook moved **SB 405**, second reading copy, be amended as follows:

1. Title, line 12.

**Following:** "REFORMS;"

**Insert:** "PROVIDING STATUTORY APPROPRIATIONS FOR COSTS OF PROVIDING  
HEALTH CARE SERVICES;"

2. Title, line 16.

**Following:** "AUTHORITY;"

**Insert:** "PROVIDING APPROPRIATIONS;"

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

**Strike:** "SECTION"

**Insert:** "SECTIONS 17-7-502 AND"

3. Page 3, line 19.

**Following:** "services"

**Strike:** "."

**Insert:** "-- statutory appropriations -- federal special revenue. (1)"

4. Page 3, line 20.

**Following:** line 20

**Insert:** "(2) Funds necessary to implement [sections 1 through 13], including benefits and administrative costs, are statutorily appropriated, as provided in 17-7-502, from the general fund to the department of public health and human services.

(3) There is an account in the federal special revenue fund to the credit of the department of public health and human services for the payment of costs, including benefits and administrative costs, of providing health care services to individuals who are eligible for coverage pursuant to subsection (1).

(4) The federal medical assistance percentage received pursuant to 42 U.S.C. 1396d(y) must be deposited in the account provided for in subsection (3).

(5) Money in the account is statutorily appropriated, as provided in 17-7-502, to the department of public health and human services for the purpose provided in subsection (3)."

5. Page 14, line 29.

**Insert:** "Section 20. Section 17-7-502, MCA, is amended to read:

**"17-7-502. Statutory appropriations -- definition -- requisites for validity.** (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-15-247; 2-17-105; 5-11-120; 5-11-407; 5-13-403; 7-4-2502; 10-1-108; 10-1-1202; 10-1-1303; 10-2-603; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-121; 15-1-218; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121; 15-70-101; 15-70-369; 15-70-601; 16-11-509; 17-3-106; 17-3-112; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 18-11-112; 19-3-319; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-8-107; 20-9-534; 20-9-622; 20-26-1503; 22-1-327; 22-3-1004; 23-4-105; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 30-10-1004; 37-43-204; 37-51-501; 39-1-105; 39-71-503; 41-5-2011; 42-2-105; 44-4-1101; 44-12-206; 44-13-102; 53-1-109; 53-1-215; 53-2-208; [section 4]; 53-9-113; 53-24-108; 53-24-206; 60-11-115; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 76-13-150; 76-13-416; 77-1-108; 77-2-362; 80-2-222; 80-4-416; 80-11-518; 81-1-112; 81-7-106; 81-10-103; 82-11-161; 85-20-1504; 85-20-1505; 87-1-603; 90-1-115; 90-1-205; 90-1-504; 90-3-1003; 90-6-331; and



HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates contingently when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 10, Ch. 10, Sp. L. May 2000, secs. 3 and 6, Ch. 481, L. 2003, and sec. 2, Ch. 459, L. 2009, the inclusion of 15-35-108 terminates June 30, 2019; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410 terminates contingently upon the death of the last recipient eligible under 19-6-709(2) for the supplemental benefit provided by 19-6-709; pursuant to sec. 14, Ch. 374, L. 2009, the inclusion of 53-9-113 terminates June 30, 2015; pursuant to sec. 5, Ch. 442, L. 2009, the inclusion of 90-6-331 terminates June 30, 2019; pursuant to sec. 16, Ch. 58, L. 2011, the inclusion of 30-10-1004 terminates June 30, 2017; pursuant to sec. 6, Ch. 61, L. 2011, the inclusion of 76-13-416 terminates June 30, 2019; pursuant to sec. 13, Ch. 339, L. 2011, the inclusion of 81-1-112 and 81-7-106 terminates June 30, 2017; pursuant to sec. 11(2), Ch. 17, L. 2013, the inclusion of 17-3-112 terminates on occurrence of contingency; pursuant to secs. 3 and 5, Ch. 244, L. 2013, the inclusion of 22-1-327 is effective July 1, 2015, and terminates July 1, 2017; and pursuant to sec. 10, Ch. 413, L. 2013, the inclusion of 2-15-247, 39-1-105, 53-1-215, and 53-2-208 terminates June 30, 2015.)"

**Renumber:** subsequent sections

6. Page 15, line 18.

**Insert:**        "NEW SECTION. Section 22. Appropriations. (1) There is appropriated from the state general fund for the biennium beginning July 1, 2015, the following:

          (a) \$1,761,476 to the department of labor and industry for the purposes of [sections 14 through 17]; and

          (b) \$393,213 to the department of revenue for the purposes of [section 18].

          (2) These appropriations are to be considered base funding for the preparation of the 2019 biennium budget."

**Renumber:** subsequent sections

Amendment adopted as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 53

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 47

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 405** - Representative Wittich moved **SB 405**, second reading copy, be amended as follows:

1. Title, page 1, line 13.

**Following:** "MONTANA;"

**Insert:** "REQUIRING REDUCTION OF COST-SHIFTING BY HOSPITALS;"

2. Page 15.

**Following:** line 17

**Insert:**        "NEW SECTION. Section 21. Reduction in cost-shifting for uncompensated care -- reporting requirement. (1) A hospital or critical access hospital, as defined in 50-5-101, participating in the arrangement with a third-party administrator under the Montana Health and Economic Livelihood Partnership Act as provided in [sections 1 through 13] shall return an amount equal to 50% of the medicaid funds received for individuals eligible for medicaid under [section 4] to:

- (a) insurers with which the hospital is under contract; and
- (b) to individuals who pay directly for their own health care services.

(2) Payments made pursuant to this section must be:

- (a) proportionate to the amount billed to insurers with which the hospital is under contract and to individuals who paid directly for their own care; and

- (b) made semiannually, beginning 6 months from [the effective date of this act].

(3) Hospitals shall report annually to the commissioner of insurance on the amount of payments made to insurers and to individuals pursuant to this section."

**Renumber:** subsequent sections

3. Page 16, line 1.

**Following:** "13"

**Insert:** "and section 21"

4. Page 16, line 3.

**Following:** "13"

**Insert:** "and section 21"

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

5. Page 16, line 26.

**Strike:** "21"

**Insert:** "22"

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 46

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Garner, Greef, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 54

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Dudik rose on a **Point of Personal Privilege** saying that she felt that her dignity and that of Representative Custer was impugned because they serve as unpaid members of a hospital board and requested an apology.

Representative Wittich responded with an apology.

**SB 405** - Representative Wittich moved **SB 405**, second reading copy, be amended as follows:

1. Page 16, line 14.

**Strike:** "Except as provided in subsection (2), it"

**Insert:** "It"

2. Page 16, line 17.

**Strike:** subsection (2) in its entirety

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 48

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 52

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 405** - Representative Redfield moved **SB 405**, second reading copy, be amended as follows:

1. Page 3, line 20.

**Following:** "individual"

**Insert:** ": (1)"

**Following:** "meets the"

**Insert:** "nonincome"

**Following:** "42 U.S.C. 1396a(a)(10)(A)(i)(VIII)"

**Insert:** "; and

(2) has an income, as determined in accordance with 42 U.S.C. 1396a(e)(14), of 100% or less of the federal poverty level"

2. Page 5, line 18 through line 19.

**Strike:** "-- nonpayment" on line 18 through "exemptions" on line 19

3. Page 5, line 26.

**Strike:** "with an income of 100% of the federal poverty level or less"

4. Page 6, line 2 through line 29.

**Strike:** subsection (4) through subsection (7) in their entirety

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

5. Page 13, line 9 through line 10.

**Strike:** subsection (2)(c) in its entirety

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 47

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 53

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 405** - Representative Wittich moved **SB 405**, second reading copy, be amended as follows:

1. Page 4.

**Following:** line 1

**Insert:** "(2) An entity may not serve as a third-party administrator under [sections 1 through 13] if the commissioner of insurance has fined the entity more than \$100,000 in the past 3 years for violations of Title 33."

**Renumber:** subsequent subsections

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 47

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 53

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 405** - Representative Doane moved for cloture. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Hayman, Hess, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Monforton, Moore, Noland, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 77

Nays: Ballance, Brodehl, Burnett, Ehli, Essmann, Flynn, Harris, Hertz, Holmlund, Jones, Manzella, McKamey, Mortensen, Olszewski, Osmundson, Schwaderer, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 21

Excused: Hagstrom.

Total 1

Absent or not voting: Greef.

Total 1

Representative Wittich rose on a **Point of Personal Privilege**. He stated that he had two additional amendments to bring forward on **SB 405** and questioned if cloture was in order.

The Chair ruled that cloture was in order.

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

Representative Wittich appealed the ruling of the Chair.

Motion to uphold the ruling of the chair **carried** as follows:

Yeas: B. Bennett, J. Bennett, Berry, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, Garner, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.  
Total 65

Nays: Ballance, Berglee, Brodehl, B. Brown, Cuffe, Ehli, Essmann, Fitzpatrick, Flynn, Glimm, Greef, Harris, Hertz, Hess, Jones, Lamm, Laszloffy, Mandeville, Manzella, McKamey, Monforton, Mortensen, Noland, Olszewski, Pinocci, Regier, Ricci, Schwaderer, Tschida, Wagoner, White, Wittich, Zolnikov.  
Total 33

Excused: Hagstrom.  
Total 1

Absent or not voting: Osmundson.  
Total 1

**SB 405** - Representative Cook moved **SB 405**, as amended, be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 54

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 46

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

House recessed.

House reconvened.

**SB 232** - Representative Lang moved **SB 232** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 235** - Representative Lamm moved **SB 235** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Mandeville, Manzella, McCarthy, McClafferty, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Person, Pinocci, Pope, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tropila, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 70



HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

Nays: B. Bennett, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Karjala, Kipp III, Lynch, MacDonald, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Pierson, Price, Schreiner, Smith, Steenberg, Swanson, Webber, Williams, Wilson, Woods.  
Total 30

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 237** - Representative Garner moved **SB 237** be concurred in. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 92

Nays: Ballance, Hertz, Jones, Lamm, McKamey, Miller, Olsen, Wittich.  
Total 8

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 240** - Representative Price moved **SB 240** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski,

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 91

Nays: Lamm, Mandeville, Manzella, Miller, Pinocci, Regier, Tschida, Wagoner, White.  
Total 9

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 248** - Representative Doane moved **SB 248** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jacobson, Jones, Karjala, Kipp III, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McCarthy, McKamey, Mehlhoff, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Perry, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Tschida, Wagoner, Webber, Welborn, White, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 72

Nays: B. Bennett, Court, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hunter, Kelker, Lieser, Lynch, MacDonald, McClafferty, McConnell, Meyers, Miller, Noonan, Olsen, Pease-Lopez, Peppers, Person, Pierson, Steenberg, Swanson, Tropila, Williams, Wilson.  
Total 28

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 253** - Representative Monforton moved **SB 253** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski,

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Lamm, Lavin, McKamey.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 256** - Representative Fitzpatrick moved **SB 256** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Mehlhoff, Meyers, Moore, Mortensen, Noland, Olszewski, Osmundson, Peppers, Pierson, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Tropila, Tschida, Wagoner, Welborn, White, Mr. Speaker.

Total 59

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Miller, Monforton, Noonan, Olsen, Pease-Lopez, Perry, Person, Pinocci, Pope, Price, Schreiner, Swanson, Webber, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 270** - Representative Staffanson moved **SB 270** be concurred in. Motion carried as follows:

Yeas: J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers,

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 55

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 44

Excused: None.

Total 0

Absent or not voting: Ballance.

Total 1

**SB 283** - Representative Essmann moved **SB 283** be concurred in. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berry, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Wagoner, Webber, Welborn, White, Williams, Wilson, Zolnikov, Mr. Speaker.

Total 76

Nays: Ballance, Berglee, Brodehl, Burnett, Curdy, Doane, Ehli, Flynn, Hertz, Laszloffy, Lavin, Mandeville, Monforton, Mortensen, Olszewski, Osmundson, Peppers, Regier, Schwaderer, Staffanson, Tropila, Tschida, Wittich, Woods.

Total 24

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

**SB 288** - Representative Fitzpatrick moved **SB 288** be concurred in.

**SB 288** - Representative Olsen moved **SB 288**, second reading copy, be amended as follows:

1. Page 3, line 4.

**Following:** "section,"

**Insert:** "to third-party payments made specifically for medical services previously paid by the insurer"

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers,

Perry, Person, Pierson, Pinocci, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tschida, Webber, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 48

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Osmundson, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tropila, Wagoner, Welborn, White, Mr. Speaker.

Total 52

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 288** - Representative Fitzpatrick moved **SB 288** be concurred in. Motion **failed** as follows:

Yeas: J. Bennett, Berglee, Berry, Brodehl, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hollandsworth, Holmlund, Jones, Lang, Laszloffy, Lavin, Mandeville, McKamey, Meyers, Moore, Noland, Olszewski, Osmundson, Pope, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Shaw, Smith, Staffanson, Welborn, White, Mr. Speaker.

Total 47

Nays: Ballance, B. Bennett, B. Brown, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hess, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lieser, Lynch,

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

MacDonald, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Monforton, Mortensen, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Price, Schreiner, Schwaderer, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 53

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 336** - Representative Ricci moved **SB 336** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Karjala, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Perry, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 67

Nays: B. Bennett, Z. Brown, Burnett, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Kelker, Kipp III, Lieser, MacDonald, McConnell, Mehlhoff, Olsen, Pease-Lopez, Peppers, Person, Pope, Price, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 33

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SJR 6** - Representative Person moved **SJR 6** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner,

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 99

Nays: Hagstrom.  
Total 1

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 354** - Representative Shaw moved **SB 354** be concurred in. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Shaw, Staffanson, Wagoner, Welborn, White, Mr. Speaker.  
Total 49

Nays: B. Bennett, Brodehl, B. Brown, Z. Brown, Burnett, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Schreiner, Schwaderer, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Williams, Wilson, Wittich, Woods, Zolnikov.  
Total 51

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Randall moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berry, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan,

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, White, Wilson, Wittich, Woods, Mr. Speaker.

Total 79

Nays: Berglee, Brodehl, Burnett, Flynn, Hertz, Hess, Lamm, Laszloffy, Mandeville, McKamey, Miller, Olszewski, Pinocci, Schwaderer, Staffanson, Tschida, Wagoner, Williams, Zolnikov.

Total 19

Excused: Hagstrom.

Total 1

Absent or not voting: Redfield.

Total 1

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**SB 169** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Schwaderer.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0



HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

**SB 176** concurred in as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, Greef, Hayman, Hess, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Moore, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 62

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Hagstrom, Harris, Hertz, Holmlund, Jones, Lamm, Laszloffy, Lavin, Manzella, Meyers, Monforton, Mortensen, Noland, Osmundson, Pinocci, Randall, Regier, Ricci, Schwaderer, Tschida, Wagoner, White, Zolnikov.

Total 38

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 181** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: McKamey, Wittich.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

**SB 192** concurred in as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 69

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Doane, Fiscus, Fitzpatrick, Glimm, Harris, Hertz, Hess, Lamm, Laszloffy, Manzella, McKamey, Meyers, Monforton, Mortensen, Noland, Pinocci, Randall, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 31

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 217** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 42

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

**SB 229** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 94

Nays: Doane, Lamm, McKamey, Schwaderer, Tschida, Wittich.  
Total 6

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**MOTIONS**

Majority Leader Regier moved **HJR 2** be moved from the Committee of the Whole to the Taxation Committee.

Majority Leader Regier moved **SB 34** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **SB 148** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **SB 216** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **SB 405** be moved from the Committee of the Whole to the Appropriations Committee.

Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, Greef, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 45

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 54

Excused: Hagstrom.

Total 1

Absent or not voting: None.

Total 0

Representative Ballance objected to the re-referral of **SB 34**, **SB 148**, **SB 216** to the Appropriations Committee.

The Speaker overruled the objection.

Representative Tschida rose on a **Point of Personal Privilege** to state that he felt that the integrity of Appropriations Committee had been impugned during discussion and he demanded an apology.

The Speaker acknowledged his concern.

Representative Fitzpatrick made a motion to postpone the reading of the Judiciary Standing Committee Report for **SB 262** until Legislative Day 82.

House stood at ease.

House reconvened.

The Speaker ruled Representative Fitzpatrick's motion out of order.

Representative Fitzpatrick moved to appeal the Speaker's ruling.

The appeal was referred to the House Rules Committee scheduled to meet Friday, April 10, 2015.

Representative White moved that **SB 389** be taken from Natural Resources and brought before the Committee of the Whole, Friday, April 10, 2015.

Motion **passed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hess,

HOUSE JOURNAL  
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 9, 2015

Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 59

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 39

Excused: Hagstrom.  
Total 1

Absent or not voting: Hertz.  
Total 1

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 11:00 a.m., Friday, April 10, 2015.  
Motion carried.

House adjourned at 7:58 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
SEVENTY-SECOND LEGISLATIVE DAY**

Helena, Montana  
April 10, 2015

House Chambers  
State Capitol

House convened at 11:00 a.m. Mr. Speaker presiding. Invocation by Representative Laszloffy. Pledge of Allegiance to the Flag. Roll Call. All members present, except Representatives Hagstrom and Tschida, excused. Quorum present.

**BILLS** (Welborn, Chair): 4/10/2015

Correctly printed: **SB 34, SB 148, SB 216.**

Correctly enrolled: **HB 180.**

Transmitted to the Senate: **SB 169, SB 176, SB 181, SB 192, SB 217, SB 229.**

**REPORTS OF STANDING COMMITTEES**

**APPROPRIATIONS** (Ballance, Chair): 4/10/2015

**SB 34**, be concurred in. Report adopted.

**SB 148**, be concurred in. Report adopted.

**SB 216**, be concurred in. Report adopted.

**MESSAGES FROM THE SENATE**

**House bills** concurred in as amended and returned to the House for concurrence in Senate amendments:

4/9/2015

**HB 119**, introduced by Berry

**HB 211**, introduced by Wagoner

**HB 491**, introduced by Lavin

**House bills** concurred in and returned to the House:

4/9/2015

**HB 280**, introduced by Essmann

**HB 460**, introduced by Mehlhoff

**HB 470**, introduced by Clark

**HB 557**, introduced by Harris

**HB 578**, introduced by Lang

**House joint resolution** concurred in and returned to the House:

4/9/2015

**HJR 16**, introduced by MacDonald

HOUSE JOURNAL  
SEVENTY-SECOND LEGISLATIVE DAY - APRIL 10, 2015

**MESSAGES FROM THE GOVERNOR**

April 9, 2015

The Honorable Austin Knudsen  
Speaker of the House  
State Capitol  
Helena, Montana 59620

Dear Speaker Knudsen:

Please be informed that I have signed **House Bill 35** sponsored by Representative Ehli, **House Bill 47** sponsored by Representative Pease-Lopez, **House Bill 69** sponsored by Representative Custer, **House Bill 85** sponsored by Representative Woods, **House Bill 102** sponsored by Representative Pinocci, **House Bill 117** sponsored by Representative Lynch, **House Bill 164** sponsored by Representative Schwaderer, **House Bill 198** sponsored by Representative Regier, **House Bill 207** sponsored by Representative Zolnikov, **House Bill 375** sponsored by Representative Lavin, **House Bill 392** sponsored by Representative Garner, and **House Bill 461** sponsored by Representative Lavin on April 9, 2015.

I have signed **House Bill 422** sponsored by Representative Ehli with the exception of Section 5, which I have line item vetoed.

I am returning **House Bill 33** sponsored by Representative Ehli, **House Bill 34** sponsored by Representative Ehli and **House Bill 306** sponsored by Representative Eck with amendments.

I have vetoed **House Bill 348** sponsored by Representative Ballance.

Sincerely,

STEVE BULLOCK  
Governor

**FIRST READING AND COMMITMENT OF BILLS**

The following House joint resolution was introduced, read first time, and referred to committee:

**HJR 29**, introduced by A. Olsen, T. Berry, C. Clark, W. Curdy, S. Fitzpatrick, G. Kipp, C. Larsen, R. Lynch, D. Moore, G. Pierson, C. Pope, T. Richmond, D. Salomon, T. Steenberg, S. Stewart-Peregoy, G. Vuckovich, J. Welborn, J. Windy Boy, referred to Human Services.

HOUSE JOURNAL  
SEVENTY-SECOND LEGISLATIVE DAY - APRIL 10, 2015

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Doane in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**SB 345** - Majority Leader Regier moved consideration of **SB 345** be passed for the day. Motion carried.

**SB 389** - Representative White moved **SB 389** be concurred in.

**SB 389** - Representative White moved **SB 389**, second reading copy, be amended as follows:

1. Page 4, line 7.

**Following:** "channel and that"

**Insert:** "periodically"

2. Page 4, line 7 through line 8.

**Strike:** "TYPICALLY" on line 7 through "SPRING" on line 8

3. Page 4, line 8.

**Following:** "throughout"

**Insert:** "for"

4. Page 4, line 10.

**Strike:** "MOST"

**Insert:** "dry as well as wet"

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 93



HOUSE JOURNAL  
SEVENTY-SECOND LEGISLATIVE DAY - APRIL 10, 2015

Nays: Custer, Fiscus, Flynn, McKamey, Peppers, Redfield, Tropila.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 389** - Representative White moved **SB 389**, as amended, be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Curdy, Custer, Doane, Ehli, Essmann, Fitzpatrick, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Peppers, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Z. Brown, Court, Cuffe, Dudik, Dunwell, Eck, Ellis, Fiscus, Flynn, Funk, Garner, Hayman, Hill, Hunter, Karjala, Kelker, Kipp III, Lieser, MacDonald, McCarthy, McClafferty, McConnell, Noonan, Olsen, Pease-Lopez, Perry, Person, Pierson, Pope, Price, Steenberg, Swanson, Tropila, Tschida, Webber, Williams, Wilson, Wittich, Woods.

Total 40

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 68** - Representative Hollandsworth moved **SB 68** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall,

HOUSE JOURNAL  
SEVENTY-SECOND LEGISLATIVE DAY - APRIL 10, 2015

Redfield, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 93

Nays: B. Brown, Manzella, Miller, Monforton, Regier, Wagoner, Zolnikov.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 112** - Representative White moved **SB 112** be concurred in.

**SB 112** - Representative Dunwell moved **SB 112**, second reading copy, be further amended as follows:

1. Page 5, line 4.

**Strike:** "AND THE BOARD SHALL"

**Following:** "DECISION"

**Insert:** ", and establish a timeframe to complete development of the TMDL. The timeframe does not need to be in accordance with the timeframe specified in subsection (9)(a)(ii)"

2. Page 5, line 4 through line 6.

**Strike:** "PENDING" on line 4 through "(9)(A)(II)." on line 6

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 43

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 57

HOUSE JOURNAL  
SEVENTY-SECOND LEGISLATIVE DAY - APRIL 10, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 112** - Representative White moved **SB 112** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Steenberg, Swanson, Tropila, Tschida, Webber, Williams, Wilson, Woods.

Total 40

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 128** - Representative Glimm moved **SB 128** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

HOUSE JOURNAL  
SEVENTY-SECOND LEGISLATIVE DAY - APRIL 10, 2015

Nays: Mandeville, Monforton.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 145** - Representative Holmlund moved **SB 145** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Kipp III, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Shaw, Smith, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, Z. Brown, Burnett, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Lamm, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 41

Excused: None.

Total 0

Absent or not voting: Schwaderer.

Total 1

**SB 160** - Representative White moved **SB 160** be concurred in. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lang, Laszloffy, Lavin, Mandeville, McKamey, Mehlhoff, Meyers, Miller, Moore, Osmundson, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Wagoner, Welborn, White, Mr. Speaker.

Total 49

Nays: B. Bennett, B. Brown, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lieser, Lynch, MacDonald,

HOUSE JOURNAL  
SEVENTY-SECOND LEGISLATIVE DAY - APRIL 10, 2015

Manzella, McCarthy, McClafferty, McConnell, Monforton, Mortensen, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Schreiner, Steenberg, Swanson, Tropila, Tschida, Webber, Williams, Wilson, Wittich, Woods, Zolnikov.  
Total 51

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 272** - Representative Mehlhoff moved **SB 272** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 72

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Clark, Fiscus, Flynn, Glimm, Hess, Jones, Lang, Laszloffy, Manzella, Monforton, Mortensen, Noland, Pinocci, Randall, Regier, Ricci, Tschida, Wagoner, Wittich, Zolnikov.  
Total 26

Excused: None.  
Total 0

Absent or not voting: Mandeville, Welborn.  
Total 2

**SB 293** - Representative Schreiner moved **SB 293** be concurred in. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cuffe, Dunwell, Ehli, Essmann, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hess, Hill, Hollandsworth, Holmlund, Jones, Kipp III, Lang, Lavin, Lynch, Mandeville, Manzella, McCarthy, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Osmundson, Pierson, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Tropila, Tschida, Wagoner, Welborn, White, Mr. Speaker.  
Total 56

HOUSE JOURNAL  
SEVENTY-SECOND LEGISLATIVE DAY - APRIL 10, 2015

Nays: Ballance, Brodehl, B. Brown, Cook, Court, Curdy, Custer, Doane, Dudik, Eck, Ellis, Fiscus, Flynn, Hayman, Hertz, Hunter, Jacobson, Karjala, Kelker, Lamm, Laszloffy, Lieser, MacDonald, McClafferty, McConnell, Miller, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pinocci, Pope, Steenberg, Swanson, Webber, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 43

Excused: None.

Total 0

Absent or not voting: McKamey.

Total 1

**SB 298** - Representative Manzella moved **SB 298** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 55

Nays: B. Bennett, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 45

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 330** - Representative Fitzpatrick moved **SB 330** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall,

HOUSE JOURNAL  
SEVENTY-SECOND LEGISLATIVE DAY - APRIL 10, 2015

Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: Z. Brown, Dunwell, Miller, Olsen, Olszewski, Tschida, Wittich.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 334** - Representative B. Brown moved **SB 334** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Laszloffy, Lavin, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 53

Nays: B. Bennett, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 47

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 335** - Representative Lieser moved **SB 335** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Osmundson,

HOUSE JOURNAL  
SEVENTY-SECOND LEGISLATIVE DAY - APRIL 10, 2015

Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Woods.

Total 64

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Flynn, Glimm, Harris, Hess, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, Wittich, Zolnikov, Mr. Speaker.

Total 35

Excused: None.

Total 0

Absent or not voting: Miller.

Total 1

**SB 347** - Representative Curdy moved **SB 347** be concurred in. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Ballance, B. Brown, Burnett, Hess, Pinocci.

Total 5

Excused: None.

Total 0

Absent or not voting: Ehli.

Total 1

**SB 349** - Representative Ricci moved **SB 349** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin,



HOUSE JOURNAL  
SEVENTY-SECOND LEGISLATIVE DAY - APRIL 10, 2015

Mandeville, Manzella, McKamey, Meyers, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Shaw, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 55

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Schwaderer, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 44

Excused: None.

Total 0

Absent or not voting: Welborn.

Total 1

**SB 350** - Representative Mandeville moved **SB 350** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 54

Nays: B. Bennett, Z. Brown, Clark, Court, Cuffe, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 45

Excused: None.

Total 0

Absent or not voting: Welborn.

Total 1

**SB 361** - Representative Shaw moved **SB 361** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick,

HOUSE JOURNAL  
SEVENTY-SECOND LEGISLATIVE DAY - APRIL 10, 2015

Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 88

Nays: Brodehl, B. Brown, Flynn, Hagstrom, Lamm, Manzella, Monforton, Olszewski, Redfield, Staffanson, Tschida, Wittich.

Total 12

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 367** - Representative Glimm moved **SB 367** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Mandeville assumed the chair.

HOUSE JOURNAL  
SEVENTY-SECOND LEGISLATIVE DAY - APRIL 10, 2015

**SB 368** - Representative Lang moved **SB 368** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 99

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: Doane.  
Total 1

**SB 372** - Representative Berglee moved **SB 372** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 61

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 39

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
SEVENTY-SECOND LEGISLATIVE DAY - APRIL 10, 2015

**SB 376** - Representative Cuffe moved **SB 376** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 40

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 377** - Representative Salomon moved **SB 377** be concurred in. Motion **failed** as follows:

Yeas: Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Cuffe, Custer, Ehli, Fitzpatrick, Garner, Hagstrom, Hertz, Hollandsworth, Holmlund, Lang, Lavin, Lynch, Mandeville, Mehlhoff, Moore, Osmundson, Randall, Redfield, Richmond, Salomon, Shaw, Smith, Welborn, Zolnikov, Mr. Speaker.

Total 31

Nays: Ballance, B. Bennett, J. Bennett, Brodehl, B. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Flynn, Funk, Glimm, Greef, Harris, Hayman, Hess, Hill, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Laszloffy, Lieser, MacDonald, Manzella, McCarthy, McClafferty, McConnell, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Regier, Ricci, Schreiner, Schwaderer, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Wittich, Woods.

Total 68

Excused: None.

Total 0

Absent or not voting: Doane.

Total 1

HOUSE JOURNAL  
SEVENTY-SECOND LEGISLATIVE DAY - APRIL 10, 2015

**SB 379** - Representative Berry moved **SB 379** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 384** - Representative Manzella moved **SB 384** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Smith, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 59

Nays: B. Bennett, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
SEVENTY-SECOND LEGISLATIVE DAY - APRIL 10, 2015

**SJR 9** - Representative Wagoner moved **SJR 9** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SJR 10** - Representative Kelker moved **SJR 10** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Regier, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 81

Nays: Ballance, J. Bennett, Burnett, Fiscus, Glimm, Harris, Hess, Lang, Manzella, Monforton, Mortensen, Noland, Olszewski, Pinocci, Redfield, Ricci, Wagoner, White, Wittich.

Total 19

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SEVENTY-SECOND LEGISLATIVE DAY - APRIL 10, 2015

**SJR 13** - Representative Custer moved **SJR 13** be concurred in.

**SJR 13** - Representative Steenberg moved **SJR 13**, second reading copy, be amended as follows:

1. Title, page 1, line 9.

**Strike:** "COAL"

**Insert:** "NATURAL"

**Strike:** "COAL-BASED"

2. Title, page 1, line 10.

**Following:** "ELECTRICITY"

**Insert:** "GENERATION"

3. Page 1, line 12.

**Strike:** "coal represents"

**Insert:** "Montana has some of"

**Strike:** "source"

**Insert:** "sources"

4. Page 1, line 13.

**Strike:** "coal is one"

**Insert:** "Montana contains some"

**Strike:** "fuel"

**Insert:** "energy"

5. Page 1, line 15.

**Strike:** "coal-based"

6. Page 1, line 17 through line 18.

**Strike:** "more coal" on line 17 through "reserves in" on line 18

**Insert:** "sufficient energy resources to meet the needs of"

7. Page 1, line 18.

**Strike:** "with nearly one-third of the estimated recoverable reserves"

8. Page 1, line 19 through line 21.

**Strike:** line 19 through line 21

9. Page 1, line 22.

**Strike:** "coal"

**Insert:** "natural"

HOUSE JOURNAL  
SEVENTY-SECOND LEGISLATIVE DAY - APRIL 10, 2015

10. Page 1, line 24.

**Strike:** "the coal reserves in Montana"

**Insert:** "Montana's natural resources"

11. Page 1, line 26 through line 27.

**Strike:** line 26 through line 27

12. Page 2, line 8.

**Strike:** "coal-based"

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Olszewski, Pease-Lopez, Perry, Person, Pierson, Pope, Price, Schreiner, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Williams, Wilson, Wittich, Woods.

Total 43

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Osmundson, Peppers, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.

Total 57

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SJR 13** - Representative Custer moved **SJR 13** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Swanson, Tropila, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 73



HOUSE JOURNAL  
SEVENTY-SECOND LEGISLATIVE DAY - APRIL 10, 2015

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Karjala, Kelker, Lieser, MacDonald, McCarthy, McConnell, Olsen, Person, Pope, Price, Steenberg, Webber, Williams, Wilson, Woods.

Total 27

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SJR 14** - Representative Olszewski moved **SJR 14** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Burnett, Cook.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Mandeville moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland,

HOUSE JOURNAL  
SEVENTY-SECOND LEGISLATIVE DAY - APRIL 10, 2015

Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: B. Bennett, Price, Wilson.

Total 3

Excused: Hagstrom, Tschida.

Total 2

Absent or not voting: None.

Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 180** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 82

Nays: J. Bennett, B. Brown, Essmann, Hess, Jones, Lamm, Manzella, McKamey, Monforton, Mortensen, Olszewski, Redfield, Ricci, Wagoner, Wittich, Zolnikov.

Total 16

Excused: Hagstrom, Tschida.

Total 2

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SEVENTY-SECOND LEGISLATIVE DAY - APRIL 10, 2015

**SB 123** concurred in as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Zolnikov.

Total 56

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Custer, Doane, Ehli, Fiscus, Flynn, Glimm, Greef, Harris, Hertz, Hess, Holmlund, Lamm, Lang, Laszloffy, Mandeville, Manzella, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Smith, Staffanson, Wagoner, White, Wittich, Mr. Speaker.

Total 42

Excused: Hagstrom, Tschida.

Total 2

Absent or not voting: None.

Total 0

**SB 126** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Person, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 57

Nays: B. Bennett, Z. Brown, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hess, Hill, Hunter, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 41

Excused: Hagstrom, Tschida.

Total 2

HOUSE JOURNAL  
SEVENTY-SECOND LEGISLATIVE DAY - APRIL 10, 2015

Absent or not voting: None.

Total 0

**SB 149** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 57

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 41

Excused: Hagstrom, Tschida.

Total 2

Absent or not voting: None.

Total 0

**SB 213** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson,

Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Schwaderer.

Total 1

HOUSE JOURNAL  
SEVENTY-SECOND LEGISLATIVE DAY - APRIL 10, 2015

Excused: Hagstrom, Tschida.

Total 2

Absent or not voting: None.

Total 0

**SB 230** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Excused: Hagstrom, Tschida.

Total 2

Absent or not voting: None.

Total 0

**SB 232** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

HOUSE JOURNAL  
SEVENTY-SECOND LEGISLATIVE DAY - APRIL 10, 2015

Excused: Hagstrom, Tschida.

Total 2

Absent or not voting: None.

Total 0

**SB 235** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Mandeville, Manzella, McCarthy, McClafferty, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Person, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tropila, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 70

Nays: B. Bennett, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Lynch, MacDonald, McConnell, Mehlhoff, Olsen, Pease-Lopez, Peppers, Perry, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Webber, Williams, Wilson, Woods.

Total 28

Excused: Hagstrom, Tschida.

Total 2

Absent or not voting: None.

Total 0

**SB 237** concurred in as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: Ballance, Hertz, Lamm, Olsen, Wittich.

Total 5

HOUSE JOURNAL  
SEVENTY-SECOND LEGISLATIVE DAY - APRIL 10, 2015

Excused: Hagstrom, Tschida.

Total 2

Absent or not voting: None.

Total 0

**SB 240** concurred in as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 92

Nays: J. Bennett, Hess, Lamm, Manzella, Regier, White.

Total 6

Excused: Hagstrom, Tschida.

Total 2

Absent or not voting: None.

Total 0

**SB 248** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Karjala, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McCarthy, McKamey, Mehlhoff, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Wagoner, Webber, Welborn, White, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 64

Nays: B. Bennett, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Kelker, Kipp III, Lieser, Lynch, MacDonald, McClafferty, McConnell, Meyers, Miller, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schwaderer, Steenberg, Swanson, Tropila, Williams, Wilson.  
Total 34

HOUSE JOURNAL  
SEVENTY-SECOND LEGISLATIVE DAY - APRIL 10, 2015

Excused: Hagstrom, Tschida.

Total 2

Absent or not voting: None.

Total 0

**SB 253** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Lamm, Lavin.

Total 2

Excused: Hagstrom, Tschida.

Total 2

Absent or not voting: None.

Total 0

**SB 256** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Kipp III, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Peppers, Pierson, Pinocci, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Tropila, Wagoner, Welborn, White, Mr. Speaker.

Total 63

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Karjala, Kelker, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Noonan, Olsen, Pease-Lopez, Perry, Person, Pope, Schreiner, Steenberg, Swanson, Webber, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 35



HOUSE JOURNAL  
SEVENTY-SECOND LEGISLATIVE DAY - APRIL 10, 2015

Excused: Hagstrom, Tschida.

Total 2

Absent or not voting: None.

Total 0

**SB 258** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hess, Hill, Hollandsworth, Hunter, Jacobson, Jones, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Richmond, Salomon, Schreiner, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 85

Nays: B. Brown, Cook, Cuffe, Hayman, Hertz, Holmlund, Karjala, Kipp III, Miller, Osmundson, Ricci, Schwaderer, Shaw.

Total 13

Excused: Hagstrom, Tschida.

Total 2

Absent or not voting: None.

Total 0

**SB 270** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 56

Nays: B. Bennett, Z. Brown, Cook, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 42

HOUSE JOURNAL  
SEVENTY-SECOND LEGISLATIVE DAY - APRIL 10, 2015

Excused: Hagstrom, Tschida.

Total 2

Absent or not voting: None.

Total 0

**SB 280** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.

Total 55

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods.

Total 43

Excused: Hagstrom, Tschida.

Total 2

Absent or not voting: None.

Total 0

**SB 281** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.

Total 54

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hess, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods.

Total 44

HOUSE JOURNAL  
SEVENTY-SECOND LEGISLATIVE DAY - APRIL 10, 2015

Excused: Hagstrom, Tschida.

Total 2

Absent or not voting: None.

Total 0

**SB 283** concurred in as follows:

Yeas: B. Bennett, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Lieser, MacDonald, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Wagoner, Webber, Welborn, White, Williams, Wilson, Zolnikov, Mr. Speaker.

Total 73

Nays: Ballance, J. Bennett, Berglee, Burnett, Curdy, Doane, Ehli, Flynn, Hertz, Laszloffy, Lavin, Lynch, Mandeville, Monforton, Mortensen, Olszewski, Osmundson, Peppers, Redfield, Regier, Schwaderer, Staffanson, Tropila, Wittich, Woods.

Total 25

Excused: Hagstrom, Tschida.

Total 2

Absent or not voting: None.

Total 0

**SB 294** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

HOUSE JOURNAL  
SEVENTY-SECOND LEGISLATIVE DAY - APRIL 10, 2015

Excused: Hagstrom, Tschida.

Total 2

Absent or not voting: None.

Total 0

**SB 318** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 93

Nays: Brodehl, Lamm, Schwaderer, White, Zolnikov.

Total 5

Excused: Hagstrom, Tschida.

Total 2

Absent or not voting: None.

Total 0

**SB 336** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 64

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, Hayman, Hill, Hunter, Karjala, Kelker, Kipp III, Lieser, MacDonald, McConnell, Olsen, Pease-Lopez, Peppers, Perry, Person, Pope, Price, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 34

HOUSE JOURNAL  
SEVENTY-SECOND LEGISLATIVE DAY - APRIL 10, 2015

Excused: Hagstrom, Tschida.

Total 2

Absent or not voting: None.

Total 0

**SB 355** concurred in as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Garner, Greef, Hayman, Hill, Hollandsworth, Holmlund, Jacobson, Kipp III, Lang, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Woods.

Total 58

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Ehli, Fiscus, Flynn, Glimm, Harris, Hertz, Hess, Hunter, Jones, Karjala, Kelker, Lamm, Laszloffy, Lavin, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Redfield, Regier, Ricci, Schwaderer, Staffanson, Wagoner, Wittich, Zolnikov, Mr. Speaker.

Total 40

Excused: Hagstrom, Tschida.

Total 2

Absent or not voting: None.

Total 0

**SB 390** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, White, Williams, Wilson, Woods, Mr. Speaker.

Total 82

Nays: B. Brown, Cook, Doane, Glimm, Manzella, Miller, Monforton, Mortensen, Pinocci, Redfield, Schwaderer, Shaw, Wagoner, Welborn, Wittich, Zolnikov.

Total 16

HOUSE JOURNAL  
SEVENTY-SECOND LEGISLATIVE DAY - APRIL 10, 2015

Excused: Hagstrom, Tschida.

Total 2

Absent or not voting: None.

Total 0

**SJR 6** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Excused: Hagstrom, Tschida.

Total 2

Absent or not voting: None.

Total 0

**SB 37** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

HOUSE JOURNAL  
SEVENTY-SECOND LEGISLATIVE DAY - APRIL 10, 2015

Excused: Hagstrom, Tschida.

Total 2

Absent or not voting: None.

Total 0

**SB 57** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 87

Nays: Brodehl, B. Brown, Glimm, Harris, Hess, Lamm, Manzella, Monforton, Pinocci, Schwaderer, Wittich.

Total 11

Excused: Hagstrom, Tschida.

Total 2

Absent or not voting: None.

Total 0

**SB 93** concurred in as follows:

Yeas: Ballance, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Funk, Greef, Hayman, Hess, Hill, Hollandsworth, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Regier, Richmond, Salomon, Schreiner, Schwaderer, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Zolnikov.

Total 64

Nays: B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Harris, Hertz, Holmlund, Lamm, Lavin, Mandeville, Manzella, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Pinocci, Redfield, Ricci, Shaw, Staffanson, White, Wittich, Mr. Speaker.

Total 34

HOUSE JOURNAL  
SEVENTY-SECOND LEGISLATIVE DAY - APRIL 10, 2015

Excused: Hagstrom, Tschida.

Total 2

Absent or not voting: None.

Total 0

**SB 261** concurred in as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 84

Nays: J. Bennett, Brodehl, B. Brown, Lamm, Mandeville, Monforton, Mortensen, Ricci, Schwaderer, Staffanson, Wagoner, White, Wittich, Zolnikov.

Total 14

Excused: Hagstrom, Tschida.

Total 2

Absent or not voting: None.

Total 0

**SB 276** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 56

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hess, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 42



HOUSE JOURNAL  
SEVENTY-SECOND LEGISLATIVE DAY - APRIL 10, 2015

Excused: Hagstrom, Tschida.

Total 2

Absent or not voting: None.

Total 0

**MOTIONS**

Majority Leader Regier moved **SB 272** be moved from the Committee of the Whole to the Appropriations Committee.

Representative White moved to reconsider action on **SB 354** and that **SB 354** be placed on second reading, Saturday, April 11, 2015.

Motion **passed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, Burnett, Clark, Cook, Cuffe, Custer, Doane, Dudik, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hollandsworth, Holmlund, Hunter, Jones, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Wagoner, Welborn, White, Mr. Speaker.

Total 58

Nays: B. Bennett, B. Brown, Z. Brown, Court, Curdy, Dunwell, Eck, Ellis, Fiscus, Funk, Hill, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lieser, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 40

Excused: Hagstrom, Tschida.

Total 2

Absent or not voting: None.

Total 0

Representative Hertz moved to reconsider action on **SB 288** and that **SB 288** be placed on second reading, Saturday, April 11, 2015.

Motion **passed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lang, Laszloffy, Lavin, Mandeville, McKamey, Meyers, Miller, Monforton, Moore, Noland, Olszewski, Osmundson, Randall, Redfield, Regier, Ricci, Richmond,

HOUSE JOURNAL  
SEVENTY-SECOND LEGISLATIVE DAY - APRIL 10, 2015

Salomon, Schwaderer, Shaw, Staffanson, Wagoner, Welborn, White, Mr. Speaker.

Total 50

Nays: B. Bennett, B. Brown, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Mortensen, Noonan, Olsen, Pease-Lopez,

Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 48

Excused: Hagstrom, Tschida.

Total 2

Absent or not voting: None.

Total 0

Representative Ballance moved **SB 405** be moved from the Committee of the Whole to the Appropriations Committee.

Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, Greef, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 45

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 53

Excused: Hagstrom, Tschida.

Total 2

Absent or not voting: None.

Total 0

Representative Wittich rose on appeal, requesting an interpretation of the rules from the Speaker regarding a super majority procedural motion being challenged and sent to the Rules

HOUSE JOURNAL  
SEVENTY-SECOND LEGISLATIVE DAY - APRIL 10, 2015

Committee, he asked whether the vote to overturn the Rules Committee's decision would also require the same vote as the procedural motion.

The Speaker allowed discussion on the question.

The Speaker ruled that pursuant to H70-50, a super majority vote would be required to overturn the House Rules Committee on any procedural appeal of a super majority vote.

Minority Leader Hunter appealed the Speaker's ruling.

House stood at ease.

House reconvened.

It was announced that the House Rules Committee would meet at 5:00 p.m. this same day.

Representative Wittich moved to reconsider action on **SB 405** and that **SB 405** be placed on second reading on Saturday, April 11, 2015.

Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, Greef, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 45

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 53

Excused: Hagstrom, Tschida.

Total 2

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SEVENTY-SECOND LEGISLATIVE DAY - APRIL 10, 2015

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 8:00 a.m., Saturday, April 11, 2015.  
Motion carried.

House adjourned at 4:10 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
SEVENTY-THIRD LEGISLATIVE DAY**

Helena, Montana  
April 11, 2015

House Chambers  
State Capitol

House convened at 8:00 a.m. Mr. Speaker presiding. Invocation by Representative Berglee. Pledge of Allegiance to the Flag. Roll Call. All members present, except Representatives Hagstrom, D. Moore, Osmundson, and Tschida, excused. Quorum present.

**BILLS** (Welborn, Chair):

4/11/2015

Correctly printed: **SB 107, SB 410.**

Correctly engrossed: **SB 252, SB 375, HJR 26.**

Correctly enrolled: **HB 29, HB 258, HB 587, HB 606.**

Transmitted to the Senate: **SB 34, SB 37, SB 57, SB 68, SB 93, SB 112, SB 123, SB 128, SB 145, SB 148, SB 149, SB 213, SB 216, SB 230, SB 232, SB 235, SB 237, SB 240, SB 248, SB 253, SB 256, SB 258, SB 261, SB 270, SB 276, SB 280, SB 281, SB 283, SB 294, SB 298, SB 318, SB 325, SB 330, SB 335, SB 336, SB 347, SB 349, SB 350, SB 355, SB 361, SB 367, SB 368, SB 372, SB 376, SB 379, SB 384, SB 389, SB 390, SJR 6, SJR 9, SJR 10, SJR 13, SJR 14.**

Signed by the Speaker at 9:50 a.m., April 13, 2015: **HB 280, HB 460, HB 557, HB 578, HJR 16.**

Signed by the Chief Clerk of the House at 11:00 a.m., April 13, 2015: **HB 280, HB 460, HB 557, HB 578, HJR 16.**

**REPORTS OF STANDING COMMITTEES**

Rep Essmann reported that the House Rules Committee upheld the Speaker's ruling from the previous day's session.

Minority Leader Hunter appealed the decision of the House Rules Committee.

Motion to uphold the ruling of the House Rules Committee **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, Greef, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 44

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

HOUSE JOURNAL  
SEVENTY-THIRD LEGISLATIVE DAY - APRIL 11, 2015

Total 52

Excused: Hagstrom, Moore, Osmundson, Tschida.

Total 4

Absent or not voting: None.

Total 0

**EDUCATION** (Laszloffy, Chair):

4/10/2015

**HJR 26**, be adopted. Report adopted.

**SB 107**, be concurred in. Report adopted.

**SB 252**, be amended as follows:

1. Title, page 1, line 8.

**Strike:** "ACCOUNT"

**Insert:** "AND DISTRIBUTION ACCOUNTS; PROVIDING STATUTORY APPROPRIATIONS"

**Following:** "SECTIONS"

**Insert:** "17-7-502,"

**Following:** "20-9-310"

**Insert:** ", 20-9-517,"

2. Page 1, line 12.

**Insert:** "**Section 1.** Section 17-7-502, MCA, is amended to read:

**"17-7-502. Statutory appropriations -- definition -- requisites for validity.** (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-15-247; 2-17-105; 5-11-120; 5-11-407; 5-13-403; 7-4-2502; 10-1-108; 10-1-1202; 10-1-1303; 10-2-603; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-121; 15-1-218; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121; 15-70-101; 15-70-369; 15-70-601; 16-11-509; 17-3-106; 17-3-112; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 18-11-112; 19-3-319; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-8-107; 20-9-517; 20-9-520; 20-9-534; 20-9-622; 20-26-1503; 22-1-327; 22-3-1004; 23-4-105; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 30-10-1004; 37-43-204; 37-51-501; 39-1-105; 39-71-503; 41-5-2011; 42-2-105; 44-4-1101; 44-12-206; 44-13-102; 53-1-109; 53-1-215; 53-2-208; 53-9-113; 53-24-108; 53-24-206; 60-11-115; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 76-13-150; 76-13-416; 77-1-108; 77-2-362; 80-2-222; 80-4-416; 80-11-518; 81-1-112; 81-7-106; 81-10-103; 82-11-161; 85-20-1504; 85-20-1505; 87-1-603; 90-1-115; 90-1-205; 90-1-504; 90-3-1003; 90-6-331; and 90-9-306.

HOUSE JOURNAL  
SEVENTY-THIRD LEGISLATIVE DAY - APRIL 11, 2015

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates contingently when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 10, Ch. 10, Sp. L. May 2000, secs. 3 and 6, Ch. 481, L. 2003, and sec. 2, Ch. 459, L. 2009, the inclusion of 15-35-108 terminates June 30, 2019; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410 terminates contingently upon the death of the last recipient eligible under 19-6-709(2) for the supplemental benefit provided by 19-6-709; pursuant to sec. 14, Ch. 374, L. 2009, the inclusion of 53-9-113 terminates June 30, 2015; pursuant to sec. 5, Ch. 442, L. 2009, the inclusion of 90-6-331 terminates June 30, 2019; pursuant to sec. 16, Ch. 58, L. 2011, the inclusion of 30-10-1004 terminates June 30, 2017; pursuant to sec. 6, Ch. 61, L. 2011, the inclusion of 76-13-416 terminates June 30, 2019; pursuant to sec. 13, Ch. 339, L. 2011, the inclusion of 81-1-112 and 81-7-106 terminates June 30, 2017; pursuant to sec. 11(2), Ch. 17, L. 2013, the inclusion of 17-3-112 terminates on occurrence of contingency; pursuant to secs. 3 and 5, Ch. 244, L. 2013, the inclusion of 22-1-327 is effective July 1, 2015, and terminates July 1, 2017; and pursuant to sec. 10, Ch. 413, L. 2013, the inclusion of 2-15-247, 39-1-105, 53-1-215, and 53-2-208 terminates June 30, 2015.)"

**Renumber:** subsequent sections

3. Page 3, line 11.

**Following:** "counties"

**Strike:** "for deposit in the"

**Insert:** "in proportion to a county's oil and natural gas production taxes for the preceding 3 years compared to the total of all counties' oil and natural gas production taxes for the preceding 3 years. Funds distributed must be deposited in a county's"

4. Page 3, line 13.

**Following:** "(5)"

**Insert:** "(a)"

**Following:** "(1)"

**Insert:** "and the conditions in subsection (5)(b)"

5. Page 4, line 6.

**Following:** line 6

**Insert:** "(b) If the trustees of a school district that received oil and natural gas production taxes in the prior fiscal year budget in the district's general fund BASE budget for the upcoming school fiscal year an amount less than 12.5% of the total oil and natural gas production taxes received by the district in the prior fiscal year, then:

HOUSE JOURNAL  
SEVENTY-THIRD LEGISLATIVE DAY - APRIL 11, 2015

(i) the trustees must levy the number of mills required to raise an amount equal to the difference between 12.5% of the oil and natural gas production taxes received by the district in the prior fiscal year and the amount of oil and natural gas production taxes the trustees budget in the district's general fund BASE budget for the upcoming school fiscal year;

(ii) the mills levied under subsection (5)(b)(i) are not eligible for the guaranteed tax base subsidy under the provisions of 20-9-366 through 20-9-369; and

(iii) the general fund BASE budget levy requirement calculated in 20-9-141 must be calculated as though the trustees budgeted 12.5% of the oil and natural gas production taxes received by the district in the prior year and the number of mills calculated in subsection (5)(b)(i) must be added to the number of mills calculated in 20-9-141(2)."

6. Page 5, line 6.

**Following:** "counties"

**Strike:** "for deposit in the"

**Insert:** "in proportion to a county's oil and natural gas production taxes for the preceding 3 years compared to the total of all counties' oil and natural gas production taxes for the preceding 3 years. Funds distributed must be deposited in a county's"

7. Page 5, line 8.

**Following:** "(5)"

**Insert:** "(a)"

**Following:** "(1)"

**Insert:** "and the conditions in subsection (5)(b)"

8. Page 6, line 1.

**Following:** line 1

**Insert:** "(b) If the trustees of a school district that received oil and natural gas production taxes in the prior fiscal year budget in the district's general fund BASE budget for the upcoming school fiscal year an amount less than 12.5% of the total oil and natural gas production taxes received by the district in the prior fiscal year, then:

(i) the trustees must levy the number of mills required to raise an amount equal to the difference between 12.5% of the oil and natural gas production taxes received by the district in the prior fiscal year and the amount of oil and natural gas production taxes the trustees budget in the district's general fund BASE budget for the upcoming school fiscal year;

(ii) the mills levied under subsection (5)(b)(i) are not eligible for the guaranteed tax base subsidy under the provisions of 20-9-366 through 20-9-369; and

(iii) the general fund BASE budget levy requirement calculated in 20-9-141 must be calculated as though the trustees budgeted 12.5% of the oil and natural gas production taxes received by the district in the prior year and the number of mills calculated in subsection (5)(b)(i) must be added to the number of mills calculated in 20-9-141(2)."

9. Page 6, line 13.

**Insert:** "**Section 3.** Section 20-9-517, MCA, is amended to read:



HOUSE JOURNAL  
SEVENTY-THIRD LEGISLATIVE DAY - APRIL 11, 2015

**"20-9-517. (Temporary) State school oil and natural gas impact account.** (1) There is a state school oil and natural gas impact account in the state special revenue fund provided for in 17-2-102. The purpose of the account is to provide money to schools that are receiving oil and natural gas production taxes under 15-36-331 in an amount less than 20% of the district's maximum general fund budget but that are impacted by oil and natural gas development. The funds in this account are statutorily appropriated as provided in 17-7-502.

(2) There must be deposited in the account oil and natural gas production taxes, if any, pursuant to 20-9-310(4)(b) and any amounts pursuant to 20-9-104(6).

(3) A school district may apply to the superintendent of public instruction for funds from the account for circumstances that are directly related to impacts resulting from the development or cessation of development of oil and natural gas as follows:

- (a) an unusual enrollment increase as determined pursuant to 20-9-161 and 20-9-314;
- (b) an unusual enrollment decrease;
- (c) higher rates of student mobility;
- (d) a district's need to hire new teachers or staff as a result of increased enrollment;
- (e) the opening or reopening of an elementary or high school approved by the superintendent of public instruction pursuant to 20-6-502 or 20-6-503; or
- (f) major maintenance for a school or district.

(4) In reviewing an applicant's request for funding, the superintendent of public instruction shall consider the following:

- (a) the local district's or school's need;
- (b) the severity of the energy development impacts;
- (c) availability of funds in the account; and
- (d) the applicant district's ability to meet the needs identified in subsection (3).

(5) The superintendent of public instruction shall adopt rules necessary to implement the application and distribution process.

(6) The amount in the account may not exceed \$7.5 million. Any amount over \$7.5 million must be deposited in the guarantee account and distributed in the same manner as provided in 20-9-622(2). (Terminates June 30, 2016--sec. 43, Ch. 400, L. 2013.)

**20-9-517. (Effective July 1, 2016) State school oil and natural gas impact account.**

(1) There is a state school oil and natural gas impact account in the state special revenue fund provided for in 17-2-102. The purpose of the account is to provide money to schools that are not receiving oil and natural gas production taxes under 15-36-331 in an amount sufficient to address oil and natural gas development impacts. The funds in this account are statutorily appropriated as provided in 17-7-502.

(2) There must be deposited in the account oil and natural gas production taxes, if any, pursuant to 20-9-310(4) and any amounts pursuant to 20-9-104(6).

(3) A school district may apply to the superintendent of public instruction for funds from the account for circumstances that are directly related to impacts resulting from the development or cessation of development of oil and natural gas as follows:

- (a) an unusual enrollment increase as determined pursuant to 20-9-161 and 20-9-314;
- (b) an unusual enrollment decrease;
- (c) higher rates of student mobility;
- (d) a district's need to hire new teachers or staff as a result of increased enrollment;

HOUSE JOURNAL  
SEVENTY-THIRD LEGISLATIVE DAY - APRIL 11, 2015

(e) the opening or reopening of an elementary or high school approved by the superintendent of public instruction pursuant to 20-6-502 or 20-6-503; or

(f) major maintenance for a school or district.

(4) In reviewing an applicant's request for funding, the superintendent of public instruction shall consider the following:

(a) the local district's or school's need;

(b) the severity of the energy development impacts;

(c) availability of funds in the account; and

(d) the applicant district's ability to meet the needs identified in subsection (3).

(5) The superintendent of public instruction shall adopt rules necessary to implement the application and distribution process.

(6) The amount in the account may not exceed \$7.5 million. Any amount over \$7.5 million must be deposited in the guarantee account and distributed in the same manner as provided in 20-9-622(2)."

**Renumber:** subsequent sections

10. Page 6, line 18.

**Following:** "20-9-310(4)."

**Insert:** "The funds deposited in this account for distribution to school districts and counties under 20-9-310(4) are statutorily appropriated as provided in 17-7-502."

And, as amended, be concurred in. Report adopted.

**SB 410**, be concurred in. Report adopted.

**TRANSPORTATION** (Lavin, Chair):

4/10/2015

**SB 375**, be amended as follows:

1. Title, line 4.

**Strike:** "DAYTIME"

2. Title, line 7.

**Following:** "~~61-8-312,~~"

**Insert:** "61-8-312,"

3. Page 3, line 9.

**Strike:** "(a)" through "pending"

**Insert:** "Pending"

4. Page 3, line 17 through line 27.

**Strike:** subsection (b) in its entirety

5. Page 4.

HOUSE JOURNAL  
SEVENTY-THIRD LEGISLATIVE DAY - APRIL 11, 2015

**Following:** line 23

**Insert:** "Section 3. Section 61-8-312, MCA, is amended to read:

**"61-8-312. Special speed limitations on trucks, truck tractors, and motor-driven cycles.** (1) Except as provided in 61-8-303, 61-8-309, 61-8-310, and subsection (2) of this section, the speed limit for a truck or truck tractor of more than 1 ton "manufacturer's rated capacity" traveling on:

(a) a federal-aid interstate highway is 65 miles an hour; and

(b) any other public highway is 60 miles an hour during the daytime and 55 miles an hour during the nighttime as those terms are defined in 61-8-303.

(2) Except as provided in 61-8-303, 61-8-309, and 61-8-310, the speed limit for a vehicle subject to a term permit under 61-10-124(2)(d) or a truck-trailer-trailer or truck tractor-semitrailer-trailer-trailer combination of vehicles subject to special permits under 61-10-124(4) is ~~55~~ 65 miles an hour unless otherwise stated in the permit.

(3) A person may not operate a motor-driven cycle at any time mentioned in 61-9-201 at a speed greater than 35 miles an hour unless the motor-driven cycle is equipped with a headlamp or lamps that are adequate to reveal a person or vehicle at a distance of 300 feet ahead.""

**Renumber:** subsequent sections

6. Page 5, line 1.

**Strike:** "\$20"

**Insert:** "\$40"

**Strike:** "5"

**Insert:** "10"

7. Page 5, line 2.

**Strike:** "20"

**Insert:** "40"

**Strike:** "5"

**Insert:** "10"

8. Page 5, line 3.

**Strike:** "6-15"

**Insert:** "11-20"

9. Page 5, line 4.

**Strike:** "16-25"

**Insert:** "21-30"

10. Page 5, line 5.

**Strike:** "26+"

**Insert:** "31+"

11. Page 5, line 20.

HOUSE JOURNAL  
SEVENTY-THIRD LEGISLATIVE DAY - APRIL 11, 2015

**Strike:** "85"

**Insert:** "90"

And, as amended, be concurred in. Report adopted.

**MESSAGES FROM THE SENATE**

**House bills** concurred in as amended and returned to the House for concurrence in Senate amendments:

4/10/2015

**HB 196**, introduced by Webber

**HB 359**, introduced by Lieser

**HB 379**, introduced by Hertz

**HB 538**, introduced by Miller

**HB 553**, introduced by Noland

**House bills** concurred in and returned to the House:

4/10/2015

**HB 29**, introduced by Jacobson

**HB 258**, introduced by Williams

**HB 587**, introduced by Regier

**HB 606**, introduced by Clark

**House amendments to Senate bills** concurred in:

4/10/2015

**SB 209**, introduced by Rosendale

**SB 224**, introduced by Wolken

**SB 238**, introduced by Blasdel

**SB 255**, introduced by T. Brown

**SB 295**, introduced by Blasdel

**SB 333**, introduced by Hinkle

**SB 138** - The Senate failed to concur in the House amendments to **SB 138** and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on House amendments to **SB 138**:

4/10/2015

Senator Hoven, Chair

Senator Larsen

Senator Webb

HOUSE JOURNAL  
SEVENTY-THIRD LEGISLATIVE DAY - APRIL 11, 2015

**MESSAGES FROM THE GOVERNOR**

April 13, 2015

The Honorable Austin Knudsen  
Speaker of the House  
State Capitol  
Helena, Montana 59620

Dear Speaker Knudsen:

Please be informed that I have signed **House Bill 99** sponsored by Representative McClafferty, **House Bill 168** sponsored by Representative Fitzpatrick, **House Bill 324** sponsored by Representative Welborn, **House Bill 363** sponsored by Representative Funk, **House Bill 431** sponsored by Representative Dunwell, **House Bill 536** sponsored by Representative Berry, **House Bill 555** sponsored by Representative Fitzpatrick, and **House Bill 573** sponsored by Representative Lavin on April 13, 2015.

I have delivered the following bills to the Secretary of State without signature **House Bill 208** sponsored by Representative Moore, **House Bill 240** sponsored by Representative Berry, **House Bill 319** sponsored by Representative Olszewski, and **House Bill 353** sponsored by Representative Greef.

I have vetoed **House Bill 315** sponsored by Representative Harris.

Sincerely,

STEVE BULLOCK  
Governor

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Holmlund in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**SB 288** - Representative Hertz moved **SB 288** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lang, Laszloffy, Lavin, Mandeville, Manzella,

HOUSE JOURNAL  
SEVENTY-THIRD LEGISLATIVE DAY - APRIL 11, 2015

McKamey, Meyers, Miller, Moore, Noland, Olszewski, Osmundson, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Wagoner, White, Mr. Speaker.  
Total 50

Nays: B. Bennett, B. Brown, Z. Brown, Court, Curdy, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Monforton, Mortensen, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Williams, Wilson, Wittich, Woods, Zolnikov.  
Total 48

Excused: None.  
Total 0

Absent or not voting: Dudik, Welborn.  
Total 2

**SB 345** - Representative Lamm moved **SB 345** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 94

Nays: B. Brown, Harris, Manzella, Tschida, Wittich.  
Total 5

Excused: None.  
Total 0

Absent or not voting: Schwaderer.  
Total 1

**SB 354** - Representative Shaw moved **SB 354** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Dudik, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Kipp III, Lang,

HOUSE JOURNAL  
SEVENTY-THIRD LEGISLATIVE DAY - APRIL 11, 2015

Laszloffy, Lavin, Lynch, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pinocci, Pope, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Wagoner, Welborn, White, Mr. Speaker.

Total 64

Nays: B. Bennett, B. Brown, Z. Brown, Court, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Karjala, Kelker, Lamm, Lieser, MacDonald, McCarthy, McClafferty, McConnell, Monforton, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Price, Steenberg, Swanson, Tropila, Tschida, Webber, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 36

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 145 - Governor's Amendments** - Representative Cuffe moved Governor's amendments to **HB 145** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 95

Nays: Glimm, Schwaderer, Tschida, Wittich, Zolnikov.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SEVENTY-THIRD LEGISLATIVE DAY - APRIL 11, 2015

**HB 211 - Senate Amendments** - Representative Wagoner moved Senate amendments to **HB 211** be **not** concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.  
Total 99

Nays: Zolnikov.  
Total 1

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 284 - Senate Amendments** - Representative Dudik moved Senate amendments to **HB 284** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Z. Brown, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Hagstrom, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 53

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cuffe, Doane, Ehli, Fiscus, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 47

Excused: None.  
Total 0



HOUSE JOURNAL  
SEVENTY-THIRD LEGISLATIVE DAY - APRIL 11, 2015

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Holmlund moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Mortensen, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 88

Nays: Berglee, Hess, Lamm, Miller, Schwaderer, Tropila, Wittich, Zolnikov.

Total 8

Excused: Hagstrom, Moore, Osmundson, Tschida.

Total 4

Absent or not voting: None.

Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**SB 68** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Mortensen, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 89

HOUSE JOURNAL  
SEVENTY-THIRD LEGISLATIVE DAY - APRIL 11, 2015

Nays: B. Brown, McKamey, Monforton, Regier, Schwaderer, Wagoner, Zolnikov.  
Total 7

Excused: Hagstrom, Moore, Osmundson, Tschida.  
Total 4

Absent or not voting: None.  
Total 0

**SB 112** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.  
Total 55

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods.  
Total 41

Excused: Hagstrom, Moore, Osmundson, Tschida.  
Total 4

Absent or not voting: None.  
Total 0

**SB 128** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 96

HOUSE JOURNAL  
SEVENTY-THIRD LEGISLATIVE DAY - APRIL 11, 2015

Nays: None.

Total 0

Excused: Hagstrom, Moore, Osmundson, Tschida.

Total 4

Absent or not voting: None.

Total 0

**SB 145** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Kipp III, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.

Total 54

Nays: B. Bennett, Z. Brown, Burnett, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Lamm, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods.

Total 42

Excused: Hagstrom, Moore, Osmundson, Tschida.

Total 4

Absent or not voting: None.

Total 0

**SB 293 failed** as follows:

Yeas: Ballance, J. Bennett, Berry, Burnett, Clark, Cuffe, Doane, Dunwell, Ehli, Essmann, Fitzpatrick, Garner, Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Kipp III, Lang, Lavin, Mandeville, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Staffanson, Tropila, Wagoner, Welborn, White, Mr. Speaker.

Total 43

Nays: B. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Cook, Court, Curdy, Custer, Dudik, Eck, Ellis, Fiscus, Flynn, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Lamm, Laszloffy, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, McKamey, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope,

HOUSE JOURNAL  
SEVENTY-THIRD LEGISLATIVE DAY - APRIL 11, 2015

Price, Schwaderer, Shaw, Smith, Steenberg, Swanson, Webber, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 53

Excused: Hagstrom, Moore, Osmundson, Tschida.

Total 4

Absent or not voting: None.

Total 0

**SB 298** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 52

Nays: B. Bennett, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 44

Excused: Hagstrom, Moore, Osmundson, Tschida.

Total 4

Absent or not voting: None.

Total 0

**SB 325** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Garner, Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Noonan, Olszewski, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.

Total 62

HOUSE JOURNAL  
SEVENTY-THIRD LEGISLATIVE DAY - APRIL 11, 2015

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Flynn, Funk, Hayman, Hill, Hunter, Karjala, Kelker, Kipp III, Lieser, MacDonald, McConnell, Olsen, Pease-Lopez, Peppers, Perry, Person, Pope, Price, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods.

Total 34

Excused: Hagstrom, Moore, Osmundson, Tschida.

Total 4

Absent or not voting: None.

Total 0

**SB 330** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Noonan, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: Dunwell, Olsen, Olszewski, Wittich.

Total 4

Excused: Hagstrom, Moore, Osmundson, Tschida.

Total 4

Absent or not voting: None.

Total 0

**SB 334 failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Staffanson, Wagoner, Wittich, Zolnikov, Mr. Speaker.

Total 47

HOUSE JOURNAL  
SEVENTY-THIRD LEGISLATIVE DAY - APRIL 11, 2015

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Woods.  
Total 49

Excused: Hagstrom, Moore, Osmundson, Tschida.  
Total 4

Absent or not voting: None.  
Total 0

**SB 335** concurred in as follows:

Yeas: B. Bennett, J. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Funk, Garner, Greef, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Woods.  
Total 63

Nays: Ballance, Berglee, Brodehl, B. Brown, Burnett, Fiscus, Flynn, Glimm, Harris, Hess, Jones, Lamm, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Regier, Ricci, Schwaderer, Staffanson, Wagoner, Wittich, Zolnikov, Mr. Speaker.  
Total 33

Excused: Hagstrom, Moore, Osmundson, Tschida.  
Total 4

Absent or not voting: None.  
Total 0

**SB 347** concurred in as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer,

HOUSE JOURNAL  
SEVENTY-THIRD LEGISLATIVE DAY - APRIL 11, 2015

Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 88

Nays: Ballance, B. Brown, Burnett, Ehli, Harris, Hess, Manzella, Wittich.

Total 8

Excused: Hagstrom, Moore, Osmundson, Tschida.

Total 4

Absent or not voting: None.

Total 0

**SB 349** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 54

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 42

Excused: Hagstrom, Moore, Osmundson, Tschida.

Total 4

Absent or not voting: None.

Total 0

**SB 350** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 52

HOUSE JOURNAL  
SEVENTY-THIRD LEGISLATIVE DAY - APRIL 11, 2015

Nays: B. Bennett, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 44

Excused: Hagstrom, Moore, Osmundson, Tschida.

Total 4

Absent or not voting: None.

Total 0

**SB 361** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Monforton, Mortensen, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 88

Nays: Brodehl, B. Brown, Flynn, Lamm, Meyers, Redfield, Staffanson, Wittich.

Total 8

Excused: Hagstrom, Moore, Osmundson, Tschida.

Total 4

Absent or not voting: None.

Total 0

**SB 367** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 55



HOUSE JOURNAL  
SEVENTY-THIRD LEGISLATIVE DAY - APRIL 11, 2015

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Excused: Hagstrom, Moore, Osmundson, Tschida.  
Total 4

Absent or not voting: None.  
Total 0

**SB 368** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 96

Nays: None.  
Total 0

Excused: Hagstrom, Moore, Osmundson, Tschida.  
Total 4

Absent or not voting: None.  
Total 0

**SB 372** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 58

HOUSE JOURNAL  
SEVENTY-THIRD LEGISLATIVE DAY - APRIL 11, 2015

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 38

Excused: Hagstrom, Moore, Osmundson, Tschida.

Total 4

Absent or not voting: None.

Total 0

**SB 376** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.

Total 55

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods.

Total 41

Excused: Hagstrom, Moore, Osmundson, Tschida.

Total 4

Absent or not voting: None.

Total 0

**SB 379** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson,

HOUSE JOURNAL  
SEVENTY-THIRD LEGISLATIVE DAY - APRIL 11, 2015

Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: None.

Total 0

Excused: Hagstrom, Moore, Osmundson, Tschida.

Total 4

Absent or not voting: None.

Total 0

**SB 384** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Miller, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Smith, Staffanson, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 55

Nays: B. Bennett, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 41

Excused: Hagstrom, Moore, Osmundson, Tschida.

Total 4

Absent or not voting: None.

Total 0

**SB 389** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fitzpatrick, Garner, Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, McKamey, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Pease-Lopez, Peppers, Pinocci, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

HOUSE JOURNAL  
SEVENTY-THIRD LEGISLATIVE DAY - APRIL 11, 2015

Nays: B. Bennett, B. Brown, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Fiscus, Flynn, Funk, Hayman, Hill, Hunter, Karjala, Kelker, Lieser, MacDonald, Manzella, McCarthy, McClafferty, McConnell, Noonan, Olsen, Perry, Person, Pierson, Pope, Redfield, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 37

Excused: Hagstrom, Moore, Osmundson, Tschida.

Total 4

Absent or not voting: None.

Total 0

**SB 405** concurred in as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 54

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, Greef, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Miller, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Wagoner, White, Wittich, Zolnikov, Mr.

Speaker.

Total 42

Excused: Hagstrom, Moore, Osmundson, Tschida.

Total 4

Absent or not voting: None.

Total 0

**SJR 9** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 55

HOUSE JOURNAL  
SEVENTY-THIRD LEGISLATIVE DAY - APRIL 11, 2015

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Excused: Hagstrom, Moore, Osmundson, Tschida.  
Total 4

Absent or not voting: None.  
Total 0

**SJR 10** concurred in as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Kelker, Kipp III, Lamm, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Mortensen, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Regier, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 79

Nays: Ballance, Burnett, Glimm, Harris, Hess, Karjala, Lang, Monforton, Noland, Olszewski, Pinocci, Redfield, Ricci, Schwaderer, Wagoner, White, Wittich.  
Total 17

Excused: Hagstrom, Moore, Osmundson, Tschida.  
Total 4

Absent or not voting: None.  
Total 0

**SJR 13** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Kelker, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Noonan, Olszewski, Pease-Lopez, Peppers, Perry, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Swanson, Tropila, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 69

HOUSE JOURNAL  
SEVENTY-THIRD LEGISLATIVE DAY - APRIL 11, 2015

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Karjala, Kipp III, Lieser, MacDonald, McCarthy, McConnell, Olsen, Person, Pope, Price, Steenberg, Webber, Williams, Wilson, Woods.

Total 27

Excused: Hagstrom, Moore, Osmundson, Tschida.

Total 4

Absent or not voting: None.

Total 0

**SJR 14** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Burnett, Cook.

Total 2

Excused: Hagstrom, Moore, Osmundson, Tschida.

Total 4

Absent or not voting: None.

Total 0

**SB 34** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Noonan, Olszewski, Peppers, Perry, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Steenberg, Tropila, Wagoner, Welborn, White, Williams, Wilson, Wittich, Zolnikov, Mr. Speaker.

Total 81

HOUSE JOURNAL  
SEVENTY-THIRD LEGISLATIVE DAY - APRIL 11, 2015

Nays: Z. Brown, Court, Dudik, Dunwell, Hayman, MacDonald, Mehlhoff, Olsen, Pease-Lopez, Person, Schreiner, Smith, Swanson, Webber, Woods.

Total 15

Excused: Hagstrom, Moore, Osmundson, Tschida.

Total 4

Absent or not voting: None.

Total 0

**SB 148** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 55

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 41

Excused: Hagstrom, Moore, Osmundson, Tschida.

Total 4

Absent or not voting: None.

Total 0

**SB 216** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Miller, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 56

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty,

HOUSE JOURNAL  
SEVENTY-THIRD LEGISLATIVE DAY - APRIL 11, 2015

McConnell, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 40

Excused: Hagstrom, Moore, Osmundson, Tschida.  
Total 4

Absent or not voting: None.  
Total 0

**MOTIONS**

Majority Leader Regier moved **SB 354** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved to appoint a Conference Committee on **HB 211** and request the Senate to appoint a like committee. Motion carried. Speaker Knudsen appointed:

4/11/2015

Representative Miller  
Representative Person  
Representative Wagoner

Majority Leader Regier moved the House accede to the request of the Senate and appoint a Conference Committee on **SB 138**. Motion carried. Speaker Knudsen appointed:

4/11/2015

Representative Berry  
Representative Fitzpatrick  
Representative Mehlhoff

Representative Noland moved to reconsider action on **SB 160** and that **SB 160** be placed on second reading on Monday, April 13, 2015.

Motion **passed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Wagoner, Welborn, White, Mr. Speaker.  
Total 51

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person,



HOUSE JOURNAL  
SEVENTY-THIRD LEGISLATIVE DAY - APRIL 11, 2015

Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams,  
Wilson, Wittich, Woods, Zolnikov.  
Total 45

Excused: Hagstrom, Moore, Osmundson, Tschida.  
Total 4

Absent or not voting: None.  
Total 0

**SPECIAL ORDERS OF THE DAY**

Representative Cuffe thanked the pages for their service.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Monday, April 13, 2015.  
Motion carried.

House adjourned at 9:30 a.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
SEVENTY-FOURTH LEGISLATIVE DAY**

Helena, Montana  
April 13, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Pinocci. Pledge of Allegiance to the Flag. Roll Call. All members present. Quorum present.

**BILLS** (Welborn, Chair):

4/13/2015

Correctly enrolled: **HB 78, HB 250, HB 284, HJR 7, HR 2.**

Transmitted to the Senate: **SB 405.**

Signed by the President at 3:15 p.m., April 13, 2015: **HB 101, HB 204, HB 259, HB 280, HB 318, HB 330, HB 334, HB 343, HB 350, HB 439, HB 447, HB 460, HB 557, HB 578, HJR 16.**

Delivered to the Governor for approval at 4:20 p.m., April 13, 2015: **HB 101, HB 204, HB 259, HB 280, HB 318, HB 330, HB 334, HB 343, HB 350, HB 439, HB 447, HB 460, HB 557, HB 578.**

**LEGISLATIVE ADMINISTRATION** (Welborn, Chair):

4/13/2015

MR. SPEAKER:

We, your committee on Legislative Administration recommend that employment of the following pages of the House be ceased as of 12:00 p.m., Saturday, April 11, 2015:

Austin Leonard, Eureka  
Megan Turner, Plains  
Robert Jay Wadsworth, St. Ignatius  
Brianna Petersen, Billings  
Kortney McNeil, Billings  
Justin Dreessen, Billings  
Daniel Buchignani, Three Forks  
Christian Buchignani, Three Forks

and recommend that the following pages of the House be employed as of 1:00 p.m., Monday, April 13, 2015:

Ben Roeder, Fort Shaw  
Keller Balsam, Helena  
Jaegen Hughes, Stanford  
Neil Wittorff, Shepherd  
Daniel Lurie, Roundup

Report Adopted.

HOUSE JOURNAL  
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 13, 2015

**REPORTS OF STANDING COMMITTEES**

**ADVERSE COMMITTEE REPORT**

**JUDICIARY** (Bennett, Chair):

4/13/2015

**SB 262**, third reading copy, be amended as follows:

1. Page 6, line 18.

**Following:** "that is"

**Insert:** "claimed and"

2. Page 6, line 21.

**Following:** "Article IV.D.2."

**Insert:** "The Flathead Joint Board of Control, the operating agent of the Flathead, Mission, and Jocko Valley Irrigation Districts, owns claims on this water right that are filed in the Montana water adjudication for water delivered by the FIIP to fee lands. These claims under 85-2-227, MCA, are prima facie proof of their content until the issuance of a final decree. These and any other claims to this water right, including but not limited to those of the United States or the Tribes, shall be adjudicated de novo by the Montana Water Court. All aspects of the right to water delivered by the FIIP, including but not limited to ownership, terms of ownership, priority date, volume, places of diversion, and other relevant factors and characteristics, must be determined by the Montana Water Court as part of the Montana general stream adjudication."

3. Page 7, line 7.

**Following:** "Appendix 3.3"

**Insert:** "; however, the Historic Farm Deliveries are 1 1/2 Acre-feet a year for land with a clay subsoil and 2 to 4 Acre-feet a year for land with a sandy gravelly subsoil"

4. Page 9, line 23.

**Strike:** "Article III.C.1.a"

**Insert:** "Article III.C.1.b"

5. Page 9, line 26.

**Following:** "Tribes."

**Insert:** "The Tribal Water Right does not include the FIIP Water Use Right or any claim of a water right of whatever nature, on or off reservation, to water controlled by the FIIP, including but not limited to irrigation water deliveries and instream flows."

6. Page 10, line 26.

**Following:** "The Tribes"

**Insert:** "do not"

HOUSE JOURNAL  
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 13, 2015

7. Page 10, line 29.

**Strike:** "Tribal Water"

**Insert:** "FIIP Water Use"

8. Page 11, line 2.

**Strike:** "portion" through "1855"

**Insert:** "FIIP Water Use Right must be determined by the Montana Water Court as part of the Montana general stream adjudication"

9. Page 12, line 29 through line 30.

**Strike:** "with the" on line 29

**Insert:** "to the historic level of"

**Strike:** "filling" on line 29 through "Appendix 7" on line 30

**Insert:** "unless otherwise provided for by Federal Energy Regulatory Commission licensing requirements"

10. Page 13.

**Following:** line 12

**Insert:** "xii. Use of the 90,000 Acre-feet per year of storage water from Hungry Horse Reservoir may not materially and adversely impact the historic operations of Hungry Horse Dam in conformance with applicable Federal Energy Regulatory Commission licensing requirements."

11. Page 14, line 20 through line 21.

**Strike:** "an elevation" on line 20 through "Appendix 18" on line 21

**Insert:** "historic level unless otherwise provided for by Federal Energy Regulatory Commission licensing requirements"

12. Page 14, line 22.

**Following:** "immemorial."

**Insert:** "The Tribes may not assess a fee, charge, or levy of any kind upon owners of lakeshore property for the purposes of maintaining Flathead Lake levels."

13. Page 16, line 8.

**Following:** "Rights"

**Insert:** "and Activities"

14. Page 16, line 9 through page 22, line 28.

**Strike:** page 16, line 9 through page 22, line 28 in their entirety.

**Insert:** "1. The Tribes shall not have an Instream Flow water right in a watercourse or in any reach of a watercourse outside the boundaries of the Flathead Indian Reservation."

15. Page 22, line 29.

**Following:** line 28

**Insert:** "2. Tribal members may fish and construct temporary buildings for curing at usual and

HOUSE JOURNAL  
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 13, 2015

accustomed places pursuant to the Hellgate Treaty of 1855, 12 Stat. 975, and regulations established by the Tribes. Neither the Tribes nor a Tribal member may transfer, assign, or license this right to any person who is not a Tribal member or to any other entity. Non Tribal members may fish at usual and accustomed places pursuant to the Hellgate Treaty of 1855, 12 Stat. 975, only in accordance with all applicable state fishing and access laws and regulations. The location and extent of usual and accustomed places as well as the nature of temporary buildings for curing must be established by a preponderance of evidence through a declaratory judgment action brought in state district court by the Tribes or a Tribal member wishing to use the right to fish at usual and accustomed places. The district court shall declare the existence of a usual and accustomed place as well as the terms and conditions of such use, and the plaintiff carries the burden of proof by a preponderance of the evidence. A declaratory judgment action in state district court brought by the Tribes does not waive the Tribes' sovereign immunity for any relief or action beyond that particular matter. No attorney fees may be awarded against any original party to such an action, except for violations of the rules of civil procedure as determined by the district court."

16. Page 28, line 3.

**Strike:** "85-2-302, 85-2-307 through 85-2-310, and 85-2-314"

**Insert:** "Title 85, chapter 2, part 3"

17. Page 28, line 5.

**Strike:** "subsections (1) through (3) and (8) through (17) of 85-2-402"

**Insert:** "Title 85, chapter 2, part 4"

18. Page 28, line 9 through line 13.

**Strike:** "the Tribes" on line 9 through "to agree," on line 13

19. Page 28, line 24.

**Strike:** "III.C.1.a, b"

**Insert:** "III.C.1.b"

20. Page 29, line 11 through line 12.

**Strike:** "85-2-302," on line 11 through "85-2-314" line 12

**Insert:** "Title 85, chapter 2, part 3"

21. Page 29, line 13.

**Strike:** "the following provisions of State law"

**Insert:** "Title 85, chapter 2, part 4, MCA,"

22. Page 29, line 14 through line 16.

**Strike:** ":" on line 14 through "85-2-407, MCA" on line 16

**Following:** "provided" on line 16

**Strike:** ", "

**Following:** "that" on line 16

**Insert:** "for purposes of 85-2-407, MCA,"

HOUSE JOURNAL  
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 13, 2015

23. Page 29, line 17 through line 18.

**Strike:** ";" on line 17 through "Article IV.B.6.a.iii.2.a" on line 18

24. Page 29, line 21 through line 24.

**Strike:** "the Tribes" on line 21 through "to agree," on line 24

25. Page 31, line 28.

**Strike:** "85-2-302, 85-2-307 through 85-2-310, and 85-2-314"

**Insert:** "Title 85, chapter 2, part 3"

26. Page 31, line 30 through page 32, line 2.

**Strike:** ":" on page 31, line 30 through "85-2-407, MCA" on page 32, line 2

**Following:** "that" on page 32, line 2

**Insert:** "for purposes of 85-2-407, MCA,"

27. Page 32, line 4 through line 5.

**Strike:** ";" on line 4 through "Article IV.B.6.c.vi.1" on line 5

28. Page 32, line 8 through line 11.

**Strike:** "1 through 3" on line 8

**Strike:** "the Tribes" on line 8 through "to agree," on line 11

29. Page 32, line 12.

**Strike:** "1 through 3"

30. Page 34, line 19.

**Strike:** "Certain Portions of"

**Strike:** "Related to"

**Insert:** "and"

**Following:** "FIIP"

**Insert:** "Water Use Right"

31. Page 34, line 20.

**Strike:** "Priority" through "Use Rights."

32. Page 34, line 21.

**Strike:** "the following" through "apply"

**Insert:** "the water court decree shall determine the priority among the following water rights"

33. Page 36, line 27.

**Strike:** "Entitlement Statement"

34. Page 36, line 28 through page 37, line 3.

**Strike:** "if the FIIP" on page 36, line 28 through "guidelines for FIIP" on page 37, line 3

HOUSE JOURNAL  
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 13, 2015

35. Page 49, line 17.

**Strike:** "expressly reserve all rights not granted, recognized or relinquished"

**Insert:** "agree that all aboriginal rights not expressly granted or recognized"

36. Page 49, line 20.

**Following:** "(12 Stat. 975)"

**Insert:** "are hereby relinquished for all locations east of the continental divide"

37. Page 61, line 28.

**Strike:** "Article III.C.1.a"

**Insert:** "Article III.C.1.b"

38. Page 62, line 1.

**Following:** "Tribes."

**Insert:** "The Tribal Water Right does not include the FIIP Water Use Right or any claim of a water right of whatever nature, on or off reservation, to water controlled by the FIIP, including but not limited to irrigation water deliveries and instream flows."

39. Page 140, line 1.

**Insert:** "NEW SECTION. **Section 14. Contingent voidness.** If House Bill No. 2 does not include \$55 million for the state contribution to settlement as provided in [this act], then [this act] is void."

**Renumber:** subsequent sections

And, as amended, be **not** concurred in.

Minority Leader Hunter rose on a **Point of Order** stating that the Adverse Committee Report for **SB 262** was Out of Order and asked for a ruling from the Speaker.

The Speaker ruled that under H70-50, the silver bullet rule H40-90(2) did not supercede the Adverse Committee Report rule.

Minority Leader Hunter appealed the Speaker's ruling to the House Rules Committee.

The House Rules Committee was scheduled to meet at 11:00 a.m., Tuesday, April 14th, 2015.

**MESSAGES FROM THE SENATE**

**Governor's amendments to House bill** concurred in and returned to the House: 4/11/2015

**HB 250**, introduced by Wagoner

**House bill not** concurred in and returned to the House: 4/11/2015

**HB 562**, introduced by Meyers

HOUSE JOURNAL  
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 13, 2015

**House bills** concurred in as amended and returned to the House for concurrence in Senate amendments:

4/13/2015

**HB 2**, introduced by Ballance  
**HB 237**, introduced by Olszewski  
**HB 381**, introduced by Burnett  
**HB 517**, introduced by Essmann  
**HB 575**, introduced by Burnett

**House bill** concurred in and returned to the House:

4/13/2015

**HB 78**, introduced by Lynch

**House joint resolution** concurred in and returned to the House:

4/13/2015

**HJR 7**, introduced by Steenberg

**House amendments to Senate bills** concurred in:

4/11/2015

**SB 168**, introduced by Buttrey  
**SB 191**, introduced by Driscoll  
**SB 220**, introduced by Kaufmann  
**SB 356**, introduced by Fielder

**SB 385** - The Senate failed to concur in the House amendments to **SB 385** and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on **SB 385**:

4/11/2015

Senator Webb, Chair  
Senator Kary  
Senator Larsen

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Jacobson in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**SB 160** - Representative White moved **SB 160** be concurred in.



HOUSE JOURNAL  
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 13, 2015

**SB 160** - Representative Williams moved **SB 160**, second reading copy, be further amended as follows:

1. Page 1, line 23 through line 24.

**Strike:** subsection (b) in its entirety

**Renumber:** subsequent subsections

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Mr. Speaker.

Total 59

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 160** - Representative White moved **SB 160** be concurred in. Motion carried as follows:

Yeas: J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Noland, Olszewski, Osmundson, Pease-Lopez, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Mr. Speaker.

Total 58

Nays: Ballance, B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy,

HOUSE JOURNAL  
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 13, 2015

McClafferty, McConnell, Mortensen, Noonan, Olsen, Peppers, Perry, Person, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 42

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 358 - Senate Amendments** - Representative Lynch moved Senate amendments to **HB 358** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Funk, Garner, Greef, Hagstrom, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Mortensen, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Mr. Speaker.

Total 65

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Doane, Ehli, Fitzpatrick, Flynn, Glimm, Harris, Hertz, Hess, Jones, Lamm, Laszloffy, Mandeville, Manzella, Miller, Monforton, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Ricci, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 34

Excused: None.

Total 0

Absent or not voting: Welborn.

Total 1

**HB 373 - Senate Amendments** - Representative Staffanson moved Senate amendments to **HB 373** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Ehli, Ellis, Fiscus, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, MacDonald, Mandeville, Manzella, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner,

HOUSE JOURNAL  
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 13, 2015

Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 89

Nays: B. Brown, Burnett, Eck, Essmann, Fitzpatrick, Glimm, Lynch, McCarthy, Noonan, Wittich, Zolnikov.  
Total 11

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 448 - Senate Amendments** - Representative Wagoner moved Senate amendments to **HB 448** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Garner, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jacobson, Karjala, Lamm, Lang, Laszloffy, Lavin, Lieser, Mandeville, Manzella, McCarthy, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Staffanson, Steenberg, Tschida, Wagoner, Welborn, Wilson, Zolnikov, Mr. Speaker.  
Total 76

Nays: Fitzpatrick, Flynn, Funk, Glimm, Hayman, Hunter, Jones, Kelker, Kipp III, Lynch, MacDonald, McClafferty, Noland, Noonan, Redfield, Schwaderer, Smith, Swanson, Tropila, Webber, White, Williams, Wittich, Woods.  
Total 24

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 450 - Senate Amendments** - Representative Wagoner moved Senate amendments to **HB 450** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Curdy, Custer, Doane, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, MacDonald, Mandeville, Manzella, McCarthy, McKamey, Mehlhoff, Meyers, Miller, Monforton,

HOUSE JOURNAL  
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 13, 2015

Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Peppers, Perry, Person, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Steenberg, Tschida, Wagoner, Welborn, White, Woods, Zolnikov, Mr. Speaker.

Total 70

Nays: B. Bennett, Berglee, Z. Brown, Court, Cuffe, Dudik, Dunwell, Funk, Hayman, Hill, Hunter, Karjala, Kelker, Kipp III, Lieser, Lynch, McClafferty, McConnell, Olsen, Pease-Lopez, Pope, Price, Schreiner, Smith, Swanson, Tropila, Webber, Williams, Wilson, Wittich.

Total 30

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 491 - Senate Amendments** - Representative Lavin moved Senate amendments to **HB 491** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Williams, Wilson, Woods, Mr. Speaker.

Total 92

Nays: B. Brown, Lamm, Lang, Miller, White, Wittich, Zolnikov.

Total 7

Excused: None.

Total 0

Absent or not voting: Welborn.

Total 1

HOUSE JOURNAL  
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 13, 2015

**HB 503 - Senate Amendments** - Representative Berry moved Senate amendments to **HB 503** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Noland, Noonan, Olszewski, Osmundson, Person, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Shaw, Smith, Staffanson, Swanson, Tschida, Wagoner, Welborn, Mr. Speaker.  
Total 64

Nays: B. Bennett, Burnett, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Karjala, Kelker, Kipp III, Lieser, MacDonald, McClafferty, Mortensen, Olsen, Pease-Lopez, Peppers, Perry, Pope, Price, Schreiner, Schwaderer, Steenberg, Tropila, Webber, White, Williams, Wilson, Wittich, Woods, Zolnikov.  
Total 36

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 516 - Senate Amendments** - Representative MacDonald moved Senate amendments to **HB 516** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson,

Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 91

Nays: B. Brown, Glimm, Lamm, Manzella, Monforton, Pinocci, Schwaderer, White, Wittich.  
Total 9

HOUSE JOURNAL  
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 13, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 542 - Senate Amendments** - Representative Hertz moved Senate amendments to **HB 542** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berry, B. Brown, Z. Brown, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Funk, Garner, Greef, Hagstrom, Harris, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lieser, Lynch, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 71

Nays: J. Bennett, Berglee, Brodehl, Burnett, Clark, Cook, Doane, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Hayman, Hess, Jones, Lamm, Lavin, MacDonald, Manzella, Monforton, Mortensen, Noonan, Redfield, Regier, Staffanson, Wagoner, White, Wittich, Zolnikov.

Total 29

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 550 - Senate Amendments** - Representative Swanson moved Senate amendments to **HB 550** be concurred in. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Meyers, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 79

HOUSE JOURNAL  
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 13, 2015

Nays: Ballance, B. Brown, Flynn, Glimm, Hess, Lamm, Lang, Laszloffy, Manzella, Miller, Monforton, Mortensen, Noland, Pinocci, Redfield, Schwaderer, Tschida, White, Wittich, Zolnikov.

Total 20

Excused: None.

Total 0

Absent or not voting: Mehlhoff.

Total 1

**HB 554 - Senate Amendments** - Representative Pierson moved Senate amendments to **HB 554** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Moore, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 76

Nays: J. Bennett, Brodehl, B. Brown, Burnett, Glimm, Harris, Hess, Jones, Lamm, Manzella, Meyers, Monforton, Mortensen, Noland, Olszewski, Pinocci, Redfield, Regier, Schwaderer, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 24

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HR 2** - Representative Curdy moved **HR 2** be adopted. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner,

HOUSE JOURNAL  
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 13, 2015

Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.  
Total 96

Nays: Burnett, Cook, Zolnikov.  
Total 3

Excused: None.  
Total 0

Absent or not voting: Hertz.  
Total 1

**SB 399** - Representative Hertz moved **SB 399** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 33 - Governor's Amendments** - Representative Ehli moved Governor's amendments to **HB 33** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen,



HOUSE JOURNAL  
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 13, 2015

Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 94

Nays: Monforton, Redfield, Schwaderer, Wittich, Zolnikov.  
Total 5

Excused: None.  
Total 0

Absent or not voting: Osmundson.  
Total 1

**HB 34 - Governor's Amendments** - Representative Ehli moved Governor's amendments to **HB 34** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.  
Total 94

Nays: Lamm, Monforton, Schwaderer, White, Wittich, Zolnikov.  
Total 6

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 379 - Senate Amendments** - Representative Hertz moved Senate amendments to **HB 379** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz,

HOUSE JOURNAL  
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 13, 2015

Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Lamm, White, Wittich.

Total 3

Excused: None.

Total 0

Absent or not voting: Miller.

Total 1

**HB 523 - Senate Amendments** - Representative Berglee moved Senate amendments to **HB 523** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: J. Bennett, B. Brown, Glimm, Lamm, White, Wittich.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 533 - Senate Amendments** - Representative Wagoner moved Senate amendments to **HB 533** be concurred in. Motion carried as follows:

HOUSE JOURNAL  
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 13, 2015

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McCarthy, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.

Total 61

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McClafferty, McConnell, Mehlhoff, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods.

Total 39

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 538 - Senate Amendments** - Representative Miller moved Senate amendments to **HB 538** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 90

Nays: J. Bennett, Brodehl, B. Brown, Glimm, Hess, Jones, White, Wittich, Zolnikov.

Total 9

Excused: None.

Total 0

Absent or not voting: Berry.

Total 1

HOUSE JOURNAL  
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 13, 2015

**HB 553 - Senate Amendments** - Representative Noland moved Senate amendments to **HB 553** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.  
Total 97

Nays: White, Wittich, Zolnikov.  
Total 3

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 54** - Representative Williams moved **SB 54** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.  
Total 57

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Fiscus, Flynn, Garner, Glimm, Greef, Harris, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Tschida, Wagoner, Welborn, Zolnikov.  
Total 43

Excused: None.  
Total 0

HOUSE JOURNAL  
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 13, 2015

Absent or not voting: None.

Total 0

**SB 66** - Representative Ricci moved **SB 66** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Hagstrom, Hayman, Hertz, Hill, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 68

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Clark, Cuffe, Ehli, Fiscus, Glimm, Greef, Harris, Hess, Hollandsworth, Jones, Lamm, Laszloffy, Manzella, McKamey, Miller, Monforton, Mortensen, Noland, Pinocci, Randall, Regier, Schwaderer, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 32

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 91** - Representative Olszewski moved **SB 91** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 89

Nays: J. Bennett, Berry, Brodehl, B. Brown, Essmann, Glimm, Monforton, Pinocci, Staffanson, Wagoner, Wittich.

Total 11

Excused: None.

Total 0

HOUSE JOURNAL  
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 13, 2015

Absent or not voting: None.

Total 0

**SB 212** - Representative Hertz moved **SB 212** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 234** - Representative Lynch moved **SB 234** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: None.

Total 0

HOUSE JOURNAL  
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 13, 2015

Absent or not voting: McClafferty.

Total 1

**SB 353** - Representative Shaw moved **SB 353** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Mr. Speaker.

Total 59

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Zolnikov.

Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Jacobson moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Fiscus, Pease-Lopez, Tschida.

Total 3

Excused: None.

Total 0

HOUSE JOURNAL  
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 13, 2015

Absent or not voting: None.

Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 145** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Mr. Speaker.

Total 94

Nays: Schreiner, Tropila, Wittich, Woods, Zolnikov.

Total 5

Excused: None.

Total 0

Absent or not voting: Harris.

Total 1

**HB 284** passed as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 58

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Ehli, Fiscus, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Lamm, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall,



HOUSE JOURNAL  
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 13, 2015

Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 42

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 288** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Noland, Olszewski, Osmundson, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Mr. Speaker.

Total 52

Nays: B. Bennett, B. Brown, Z. Brown, Court, Curdy, Dunwell, Eck, Ellis, Fiscus, Funk, Harris, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Mortensen, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 47

Excused: None.

Total 0

Absent or not voting: Dudik.

Total 1

**SB 345** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson,

HOUSE JOURNAL  
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 13, 2015

Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: B. Brown, Harris, Schwaderer, Welborn, Wittich.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**MOTIONS**

Majority Leader Regier moved the House accede to the request of the Senate and appoint a **Free** Conference Committee on **SB 385**. Motion carried. Speaker Knudsen appointed:

4/13/2015

Representative Fiscus

Representative Lavin

Representative B. Smith

Majority Leader Regier moved **SB 212** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **SB 234** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **SB 399** be moved from the Committee of the Whole to the Appropriations Committee.

Representative McCarthy moved to change their vote on **HB 450** from No to Yes. Without objection, so ordered.

Representative White moved to reconsider action on **SB 293** and that **SB 293** be placed on third reading on Tuesday, April 14, 2015.

Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski,

HOUSE JOURNAL  
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 13, 2015

Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Tropila, Tschida, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, MacDonald, McCarthy, McClafferty, McConnell, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Smith, Steenberg, Swanson, Webber, Williams, Wilson, Wittich, Woods.

Total 40

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Wagoner moved to reconsider action on **SB 334** and that **SB 334** be placed on third reading on Tuesday, April 14, 2015.

Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 53

Nays: B. Bennett, Z. Brown, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 47

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 13, 2015

**SPECIAL ORDERS OF THE DAY**

Representative Ehli introduced country artist Jason DeShaw who performed a song for the House. Jason is an advocate for those who suffer with mental health and addiction issues.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Tuesday, April 14, 2015.  
Motion carried.

House adjourned at 3:23 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
SEVENTY-FIFTH LEGISLATIVE DAY**

Helena, Montana  
April 14, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Wilson. Pledge of Allegiance to the Flag. Roll Call. All members present. Quorum present.

**BILLS** (Welborn, Chair):

4/14/2015

Correctly printed: **SB 20, SB 83, SB 326, SB 409.**

Correctly engrossed: **SB 193, SB 194, SB 260, SB 264, SB 387, SB 398, SB 402, SB 411, SJR 18.**

Correctly enrolled: **HB 337, HB 358, HB 373, HB 379, HB 434, HB 448, HB 450, HB 491, HB 503, HB 516, HB 523, HB 525, HB 533, HB 538, HB 542, HB 550, HB 553, HB 554.**

Transmitted to the Senate: **SB 288, SB 345.**

Signed by the Speaker at 4:30 p.m., April 14, 2015: **HR 2.**

Signed by the Chief Clerk of the House at 4:49 p.m., April 14, 2015: **HR 2.**

Signed by the Speaker at 9:30 a.m., April 16, 2015: **HB 29, HB 78, HB 180, HB 250, HB 258, HB 284, HB 470, HB 587, HJR 7.**

Signed by the Chief Clerk of the House at 1:00 p.m., April 16, 2015: **HB 29, HB 78, HB 180, HB 250, HB 258, HB 284, HB 470, HB 587, HJR 7.**

Delivered to the Secretary of State at 8:14 a.m., April 14, 2015: **HJR 16.**

**COMMUNICATIONS AND PETITIONS**

Mr. Speaker: We, your committee on Legislative Administration, having examined the daily journals for the sixty-first, sixty-second, sixty-third, sixty-fourth, and sixty-fifth legislative days, find the same to be correct.

Representative Welborn, Chair

**REPORTS OF STANDING COMMITTEES**

Rep. Essmann reported on behalf of the House Rules Committee that the Speaker's ruling from the previous day's session was upheld.

Minority Leader Hunter appealed the decision of the House Rules Committee.

The appeal carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan,

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 52

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 48

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**BUSINESS AND LABOR** (Berry, Chair):  
**SB 83**, be concurred in. Report adopted.  
**SB 193**, be amended as follows:

4/14/2015

1. Page 3, line 18.

**Strike:** "RATES"

**Insert:** "rate"

2. Page 3, line 21.

**Following:** "COMBINED COMMISSION"

**Strike:** "RATES"

**Insert:** "rate"

3. Page 3, line 23.

**Following:** "COMBINED COMMISSION"

**Strike:** "RATES"

**Insert:** "rate"

4. Page 3, line 26 through line 27.

**Strike:** "commissions" on line 26 through "payable" on line 27

**Insert:** "an annual commission rate based on the total posted price of liquor purchased in the previous calendar year,"

5. Page 3, line 28.

**Strike:** "(A)"

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

6. Page 3, line 29.

**Strike:** "a"

**Strike:** "purchases of"

**Insert:** "stores that purchased"

7. Page 3, line 30.

**Strike:** "(B) a"

**Insert:** "(ii)"

**Renumber:** subsequent subsections

**Strike:** "purchases of"

**Insert:** "stores that purchased"

8. Page 4, line 1.

**Strike:** "a"

**Strike:** "purchases of"

**Insert:** "stores that purchased"

9. Page 4, line 2.

**Strike:** "a"

**Strike:** "purchases of"

**Insert:** "stores that purchased"

10. Page 4, line 4.

**Strike:** "a"

**Strike:** "purchases of"

**Insert:** "stores that purchased"

11. Page 4, line 6.

**Strike:** "a"

**Strike:** "purchases of"

**Insert:** "stores that purchased"

12. Page 4, line 8.

**Strike:** "a"

**Strike:** "purchases of"

**Insert:** "stores that purchased"

13. Page 4, line 10.

**Strike:** "a"

**Strike:** "purchases of"

**Insert:** "stores that purchased"

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

14. Page 4, line 12.

**Strike:** "a"

**Strike:** "purchases of"

**Insert:** "stores that purchased"

15. Page 4, line 13.

**Strike:** "a"

**Strike:** "purchases of"

**Insert:** "stores that purchased"

**Strike:** "; OR"

**Insert:** "."

16. Page 4, line 14 through line 15.

**Strike:** subsection (ii) in its entirety

17. Page 4, line 26.

**Strike:** "(b) The"

**Insert:** "(c) For commissions determined under subsection (4)(b), the"

18. Page 5.

**Following:** line 1

**Insert:** "(i) calculate purchases based on all liquor invoiced to the agency liquor store during the previous calendar year;"

**Renumber:** subsequent subsections

19. Page 5, line 3 through line 4.

**Strike:** "based on the agency's" on line 3 through "(4)(B)(I)"

20. Page 5, line 5.

**Strike:** "(4)(B)(I)"

**Insert:** "(4)(b)"

21. Page 5, line 6.

**Following:** line 6

**Insert:** "(d) New stores must receive a commission established by competitive bidding, which is guaranteed for 3 calendar years, after which time the agency liquor store's commission is subject to subsection (4)(b)."

22. Page 5, line 8.

**Strike:** "and must be" through "rate"

**Insert:** ", renewable"

23. Page 5, line 9.

**Following:** "periods"

**Insert:** ", "



HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

24. Page 7.

**Following:** line 18

**Insert:** "(12) For the purposes of this section, the term "combined commission rate" means the agency liquor store's weighted average discount rate plus the discount rate provided for sales volume plus the agency liquor store's commission rate that existed on December 31, 2015."

And, as amended, be concurred in. Report adopted.

**SB 398**, be amended as follows:

1. Page 2, line 11.

**Strike:** "Each"

**Insert:** "The total"

2. Page 2, line 12.

**Following:** "dividend."

**Insert:** "For dividends paid to state agencies, the state fund shall pay a portion of the dividend equal to the total portion of the state fund's book of business attributed to each state agency or 10%."

3. Page 2.

**Following:** line 15

**Insert:** "(3) As used in this section, "book of business" means a list of clients and the amount of money generated by each."

And, as amended, be concurred in. Report adopted.

**EDUCATION** (Laszloffy, Chair):

4/13/2015

**SB 260**, be amended as follows:

1. Title, page 1, line 6.

**Following:** "AUTHORITY;"

**Insert:** "PROVIDING STATUTORY APPROPRIATIONS;"

**Following:** "SECTIONS"

**Insert:** "17-7-502,"

2. Page 1, line 11.

**Insert:** "**Section 1.** Section 17-7-502, MCA, is amended to read:

**"17-7-502. Statutory appropriations -- definition -- requisites for validity.** (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-15-247; 2-17-105; 5-11-120; 5-11-407; 5-13-403; 7-4-2502; 10-1-108; 10-1-1202; 10-1-1303; 10-2-603; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-121; 15-1-218; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121; 15-70-101; 15-70-369; 15-70-601; 16-11-509; 17-3-106; 17-3-112; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 18-11-112; 19-3-319; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-8-107; 20-9-517; 20-9-520; 20-9-534; 20-9-622; 20-26-1503; 22-1-327; 22-3-1004; 23-4-105; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 30-10-1004; 37-43-204; 37-51-501; 39-1-105; 39-71-503; 41-5-2011; 42-2-105; 44-4-1101; 44-12-206; 44-13-102; 53-1-109; 53-1-215; 53-2-208; 53-9-113; 53-24-108; 53-24-206; 60-11-115; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 76-13-150; 76-13-416; 77-1-108; 77-2-362; 80-2-222; 80-4-416; 80-11-518; 81-1-112; 81-7-106; 81-10-103; 82-11-161; 85-20-1504; 85-20-1505; 87-1-603; 90-1-115; 90-1-205; 90-1-504; 90-3-1003; 90-6-331; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates contingently when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 10, Ch. 10, Sp. L. May 2000, secs. 3 and 6, Ch. 481, L. 2003, and sec. 2, Ch. 459, L. 2009, the inclusion of 15-35-108 terminates June 30, 2019; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410 terminates contingently upon the death of the last recipient eligible under 19-6-709(2) for the supplemental benefit provided by 19-6-709; pursuant to sec. 14, Ch. 374, L. 2009, the inclusion of 53-9-113 terminates June 30, 2015; pursuant to sec. 5, Ch. 442, L. 2009, the inclusion of 90-6-331 terminates June 30, 2019; pursuant to sec. 16, Ch. 58, L. 2011, the inclusion of 30-10-1004 terminates June 30, 2017; pursuant to sec. 6, Ch. 61, L. 2011, the inclusion of 76-13-416 terminates June 30, 2019; pursuant to sec. 13, Ch. 339, L. 2011, the inclusion of 81-1-112 and 81-7-106 terminates June 30, 2017; pursuant to sec. 11(2), Ch. 17, L. 2013, the inclusion of 17-3-112 terminates on occurrence of contingency; pursuant to secs. 3 and 5, Ch. 244, L. 2013, the inclusion of 22-1-327 is effective July 1, 2015, and terminates July 1, 2017; and pursuant to sec. 10, Ch. 413, L. 2013, the inclusion of 2-15-247, 39-1-105, 53-1-215, and 53-2-208 terminates June 30, 2015.)"

**Renumber:** subsequent sections

3. Page 3, line 10.

**Following:** "counties"

**Strike:** "for deposit in the"

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

**Insert:** "in proportion to a county's oil and natural gas production taxes for the preceding 3 years compared to the total of all counties' oil and natural gas production taxes for the preceding 3 years. Funds distributed must be deposited in a county's"

4. Page 4, line 28.

**Strike:** "up to 50% of"

5. Page 4, line 29 through page 6, line 6.

**Strike:** "in the following" on page 4, line 29 through "office of public instruction" on page 6, line 6

6. Page 6, line 8.

**Strike:** "collaborate" through "develop"

**Insert:** "adopt"

7. Page 6, line 9.

**Strike:** "(b)"

8. Page 6, following line 16.

**Insert:** "(b) In developing administrative rules, the office of public instruction shall establish two independent negotiated rulemaking committees to consider issues for the purpose of reaching a consensus to develop proposed rules for the distribution of the funds under this subsection (4)."

(c) The members of the first negotiated rulemaking committee appointed by the office of public instruction must include public school officials and public school employees from school districts that are located in or are immediately adjacent to a county in which oil and natural gas production taxes are generated and professional organizations representing these public school officials and employees. This committee shall transmit proposed rules regarding distribution of 50% of the funds available under this subsection (4) in accordance with 2-5-108.

(d) The members of the second negotiated rulemaking committee appointed by the office of public instruction must include public school officials and public school employees from school districts around the state and professional organizations representing these public school officials and employees. This committee shall transmit proposed rules regarding the distribution of the remaining 50% of the funds available under this subsection (4) in accordance with 2-5-108."

9. Page 7, line 26.

**Following:** "development."

**Insert:** "The funds in this account are statutorily appropriated as provided in 17-7-502."

10. Page 8, line 23.

**Following:** "impacts."

**Insert:** "The funds in this account are statutorily appropriated as provided in 17-7-502."

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

11. Page 11, line 3.

**Following:** "20-9-310(4)."

**Insert:** "The funds deposited in this account for distribution to school districts and counties under 20-9-310(4) are statutorily appropriated as provided in 17-7-502."

12. Page 11, line 12.

**Strike:** "October 1, 2015"

**Insert:** "on passage and approval"

13. Page 11, line 13.

**Strike:** "3"

**Insert:** "4"

14. Page 11, line 15.

**Strike:** "1, 2, and 3"

**Insert:** "2, 3, and 4"

And, as amended, be concurred in. Report adopted.

**FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS** (Lang, Chair): 4/13/2015  
**SB 402**, be amended as follows:

1. Title, page 1, line 6.

**Following:** "COMMISSION"

**Insert:** ", THE DEPARTMENT OF REVENUE, AND THE GOVERNOR WHEN INTENDING TO RETIRE A COAL-FIRED GENERATING UNIT OR UNITS;"

2. Title, page 1, line 6 through line 9.

**Strike:** "WHEN" on line 6 through "UNIT;" on line 9

3. Title, page 1, line 9 through line 11.

**Strike:** "ACQUIRING" on line 9 through "OR WHEN" on line 11

4. Title, page 1, line 11.

**Following:** "OR UNIT"

**Insert:** "BEFORE NOVEMBER 30, 2025"

5. Title, page 1, line 11 through line 12.

**Strike:** "REQUIRING" on line 11 through "VERIFIED AND" on line 12

**Insert:** "ESTABLISHING AN IMPACT FEE AND REQUIRING THE FEE BE "

6. Title, page 1, line 14.

**Following:** "GENERAL FUND"

**Strike:** "AND"

**Insert:** ", "

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

**Following:** "A PORTION"

**Strike:** "OF THE FEE"

**Following:** "CERTAIN COUNTIES"

**Insert:** ", A PORTION TO SCHOOL DISTRICTS, AND A PORTION TO A SPECIAL REVENUE ACCOUNT WITHIN THE DEPARTMENT OF COMMERCE"

**Following:** "REQUIRING"

**Strike:** "COUNTIES"

**Insert:** "ENTITIES"

7. Title, page 1, line 15.

**Following:** "TO ESTABLISH"

**Strike:** "AN"

**Strike:** "TRUST ACCOUNT"

**Insert:** "ACCOUNTS"

8. Title, page 1, line 16.

**Strike:** "TRUST ACCOUNT"

**Insert:** "ACCOUNTS"

9. Title, page 1, line 18 through line 24.

**Strike:** "REQUIRING" on line 18 through "FACILITY;" on line 24

**Insert:** "ESTABLISHING A COAL-FIRED GENERATION COUNCIL ATTACHED TO THE GOVERNOR'S OFFICE; ESTABLISHING A WORKFORCE REDEVELOPMENT AND TRAINING GRANT PROGRAM; PROVIDING FOR ADMINISTRATION OF THE GRANT PROGRAM BY THE DEPARTMENT OF COMMERCE AND THE USE OF THE GRANT MONEY; ESTABLISHING REPORTING REQUIREMENTS; PROVIDING AN APPROPRIATION;"

10. Title, page 1, line 26.

**Following:** "RELATED TO"

**Insert:** "A"

**Strike:** "FACILITIES"

**Insert:** "UNIT"

11. Title, page 1, line 28.

**Strike:** "sections" through "90-6-710,"

**Insert:** "section 15-10-420,"

12. Title, page 1, line 29 through line 30.

**Following:** "AND"

**Strike:** ", AN" on line 29 through "DATE" on line 30

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

13. Page 2, line 4 through page 19, line 23.

**Strike:** everything after the enacting clause

**Insert:** "NEW SECTION. Section 1. Short title. [Sections 1 through 11] may be cited as the "Montana Energy Accountability Act"."

**Insert:** "NEW SECTION. Section 2. Purpose and intent. (1) The purpose of [sections 1 through 11] is to provide an orderly process to mitigate the effects of the early retirement of a coal-fired generating unit or units on the employees of the unit or units, local governments, schools, and affected tribal governments if an electrical company retires a coal-fired generating unit or units prior to or on November 30, 2025.

(2) This process is founded on trust and is committed to protecting the financial interests of Montana's cities, towns, counties, schools, special districts, state government, and those who work directly in an affected coal-fired generating unit or units.

(3) The retirement of a coal-fired generating unit or units prior to November 30, 2025, would have a negative and unwarranted impact on state and local governments, as well as on the citizens of Montana. [Sections 1 through 11] are intended to provide policy to discourage the retirement of a coal-fired generating unit or units prior to or on November 30, 2025, and to provide mitigation of near-term impacts if a coal-fired generating unit or units are retired prior to or on November 30, 2025."

**Insert:** "NEW SECTION. Section 3. Definitions. As used in [sections 1 through 11], the following definitions apply:

(1) "Coal-fired generating unit" or "units" means an individual unit or units of a coal-fired generating facility located in Montana, where the unit or units have a generating capacity that is greater than or equal to 200 megawatts but not more than 400 megawatts and were placed in service prior to 1980.

(2) "Electrical company" means a company owned by investors that:

(a) wholly or partially owns or operates a coal-fired generating unit or units in Montana, directly or through a subsidiary or an affiliate;

(b) furnishes or has furnished electricity from the coal-fired generating unit or units to retail customers in another state prior to [the effective date of this act]; and

(c) would be a public utility as defined in subsection (5) if those retail electricity customers were in Montana.

(3) "Electricity supplier" means an entity that wholly or partially owns or operates a coal-fired generating unit or units in Montana that is not a public utility or an electrical company.

(4) "Local government" means an incorporated city or town, a county, a consolidated local government, a tribal government, or a county or multicounty water, sewer, or solid waste district.

(5) "Public utility" means an electric utility regulated by the public service commission pursuant to Title 69, including the public utility's successors or assignees.

(6) "Retire", "retired", or "retirement" means the time at which a coal-fired generating unit or units:

(a) ceases to generate electricity and is removed from service; or

(b) is mothballed or kept in working order but operation is suspended and the unit or units have not yet been removed from service.

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

(7) "Tribal government" means a federally recognized Indian tribe within the state of Montana."

**Insert:**        "NEW SECTION. Section 4. Early retirement of coal-fired generating unit or units -- notice. (1) If an electrical company, electricity supplier, or public utility intends to retire a coal-fired generating unit or units prior to or on November 30, 2025, the company, supplier, or utility shall file a notice with the public service commission, the governor, and the department of revenue no later than 24 months prior to the intended date of the retirement.

(2) Within 30 days of receiving the notice required pursuant to subsection (1), the department of revenue shall notify the local governing body of the county where the coal-fired generating unit or units are located of the filing of the notice.

(3) Nothing in [sections 1 through 11] may be construed to:

(a) alter or modify the authority of the public service commission to regulate the rates and services of a public utility that is subject to the provisions of this chapter; or

(b) expand the authority of the public service commission to regulate an electrical company or an electricity supplier that is not subject to the provisions of [sections 1 through 11]."

**Insert:**        "NEW SECTION. Section 5. Early retirement -- coal county impact fee.

(1)(a) If an electrical company, electricity supplier, or public utility files a notice pursuant to [section 4] indicating its intent to retire a coal-fired generating unit or units on or before November 30, 2025, the electrical company, electricity supplier, or public utility shall pay a coal county impact fee in accordance with this section when the coal-fired generating unit or units are retired.

(b) If an electrical company, electricity supplier, or public utility retires a coal-fired generating unit or units after November 30, 2025, the electrical company, electricity supplier, or public utility is not subject to a coal county impact fee.

(2)(a) If the retirement occurs on or before November 30, 2025, in the first 5 tax years annually following the retirement of the coal-fired generating unit or units, an electrical company, electricity supplier, or public utility shall, except as provided in subsection (2)(b), pay an amount that includes the following:

(i) \$3 million;

(ii) 100% of the centrally assessed property taxes paid in accordance with 15-6-156 on the retired coal-fired generating unit or units during the 2014 tax year; and

(iii) 100% of the electrical energy producers license tax paid in accordance with 15-51-101.

(b) The amount required in accordance with subsection (2)(a) and subsections (3) through (7) does not include:

(i) transmission or distribution facilities taxes paid in accordance with 15-6-141;

(ii) pollution control equipment taxes paid in accordance with 15-6-135; or

(iii) wholesale energy transaction taxes paid in accordance with 15-72-104.

(3) If the retirement occurs on or before November 30, 2025, in the sixth tax year following the retirement of the coal-fired generating unit or units, an electrical company, electricity supplier, or public utility shall, except as provided in subsection (2)(b), pay an amount that includes the following:

(a) 100% of the centrally assessed property taxes paid in accordance with 15-6-156 on the retired coal-fired generating unit or units during the 2014 tax year; and

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

(b) 100% of the electrical energy producers license tax paid in accordance with 15-51-101.

(4) If the retirement occurs on or before November 30, 2025, in the seventh tax year following the retirement of the coal-fired generating unit or units, an electrical company, electricity supplier, or public utility shall, except as provided in subsection (2)(b), pay an amount that includes the following:

(a) 80% of the centrally assessed property taxes paid in accordance with 15-6-156 on the retired coal-fired generating unit or units during the 2014 tax year; and

(b) 80% of the electrical energy producers license tax paid in accordance with 15-51-101.

(5) If the retirement occurs on or before November 30, 2025, in the eighth tax year following the retirement of the coal-fired generating unit or units, an electrical company, electricity supplier, or public utility shall, except as provided in subsection (2)(b), pay an amount that includes the following:

(a) 60% of the centrally assessed property taxes paid in accordance with 15-6-156 on the retired coal-fired generating unit or units during the 2014 tax year; and

(b) 60% of the electrical energy producers license tax paid in accordance with 15-51-101.

(6) If the retirement occurs on or before November 30, 2025, in the ninth tax year following the retirement of the coal-fired generating unit or units, an electrical company, electricity supplier, or public utility shall, except as provided in subsection (2)(b), pay an amount that includes the following:

(a) 40% of the centrally assessed property taxes paid in accordance with 15-6-156 on the retired coal-fired generating unit or units during the 2014 tax year; and

(b) 40% of the electrical energy producers license tax paid in accordance with 15-51-101.

(7) If the retirement occurs on or before November 30, 2025, in the 10th tax year following the retirement of the coal-fired generating unit or units, an electrical company, electricity supplier, or public utility shall, except as provided in subsection (2)(b), pay an amount that includes the following:

(a) 20% of the centrally assessed property taxes paid in accordance with 15-6-156 on the retired coal-fired generating unit or units during the 2014 tax year; and

(b) 20% of the electrical energy producers license tax paid in accordance with 15-51-101.

(8)(a) The impact fee required in accordance with subsection (2)(a) is due the first tax year following the last tax year that the electrical company, electricity supplier, or public utility paid its centrally assessed property taxes.

(b) If an electrical company, electricity supplier, or public utility retires a coal-fired generating unit or units prior to or on November 30, 2025, and demonstrates to the department of revenue that the electrical company, electricity supplier, or public utility is paying an impact fee in accordance with this section, then the electrical company, electricity supplier, or public utility is not required to pay centrally assessed property taxes due in connection with the coal-fired generating unit or units that are retired.

(9) Nothing in this section changes how centrally assessed property taxes related to a coal-fired generating unit or units are levied if the unit or units are retired after November 30,



HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

2025, or after the 10-year payment of the impact fee required in accordance with subsections (2) through (7)."

**Insert:** "NEW SECTION. Section 6. Early retirement coal county impact fee -- distribution of fees.(1) On or before March 1 of each year, an electrical company, electricity supplier, or public utility shall submit the impact fee required in accordance with [section 5] to the department of revenue. The penalty and interest provisions contained in 15-1-216 apply to late payments of the fee.

(2) The money paid in accordance with [section 5] must be distributed as follows:

(a) 25% of all money received pursuant to subsection (1) must be deposited in the coal county impact account established in [section 7] in the county where the coal-fired generating unit or units that were retired are located;

(b) 25% of all money received pursuant to subsection (1) must be deposited in the coal county school district account established in [section 8] in the county where the coal-fired generating unit or units are located;

(c) 25% of all money received pursuant to subsection (1) must be deposited in the workforce redevelopment and training special revenue account established in [section 9]; and

(d) 25% of all money received pursuant to subsection (1) must be deposited in the general fund.

(3) On August 15 following the close of the fiscal year, the state treasurer shall distribute the revenue dedicated in subsection (2) for deposit into the appropriate accounts."

**Insert:** "NEW SECTION. Section 7. Early retirement coal county impact account -- expenditures and restrictions.(1) The governing body of a county eligible to receive a coal county impact fee shall establish a coal county impact account.

(2) The governing body of a county may in accordance with subsection (5) use the funds in the coal county account to:

(a) mitigate property losses and provide housing security for those who are unemployed due to the retirement of a coal-fired generating unit or units;

(b) pay for outstanding capital project bonds or other expenses incurred prior to retirement of the coal-fired generating unit or units;

(c) decrease property tax mill levies that are caused by the cessation, reduction, or elimination of activity at the coal-fired generating unit or units;

(d) promote diversification and development of the economic base within the jurisdiction of a local government through assistance to existing business, retention and expansion of existing business, unemployment assistance in addition to a formerly employed individual's unemployment compensation and unemployment benefits, or assistance to new business;

(e) attract new industry to the impact area;

(f) provide cash incentives for expanding the employment base of the area impacted by the changes at the coal-fired generating unit or units; and

(g) provide grants or loans to other local governments to assist with impacts.

(3) Except as provided in subsection (2)(b) and subject to 15-10-420(7)(b), money held in the coal county account may not be considered as cash balance for the purpose of reducing mill levies.

(4) Money in the coal county impact account must be invested as provided by law. Interest and income from the investment of funds in the account must be credited to the account.

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

(5)(a) The governing body of the county shall establish a coal county impact committee. The committee shall include two members of the county's governing body and one representative of:

(i) a tribal government impacted by the retirement of a coal-fired generating unit or units;  
(ii) each incorporated city or town where the coal-fired generating unit or units is located;  
(iii) each water, sewer, or solid waste district where the coal-fired generating unit or units are located; and

(iv) a regional economic development organization that represents a local government where the coal-fired generating unit or units are located.

(b) The coal county impact committee shall determine the distribution and use of the impact fee in accordance with subsection (2).

(c) The committee shall elect a presiding officer from among its members."

**Insert:**        "NEW SECTION. Section 8. Early retirement coal county school district account -- expenditures and restrictions. (1) The county treasurer shall:

(a) keep the impact fee received in accordance with [section 6(2)(b)] in a separate coal county school district account and keep a separate account of its disbursement to the several school districts that are entitled to receive it; and

(b) notify the county superintendent of the amount of the impact fee in the county treasury for disbursement to the districts.

(2) The impact fee must be shared equally among the school districts in the county where the coal-fired generating unit or units are located that is eligible to receive an impact fee in accordance with [section 6(2)(b)].

(3) Money held in the coal county school district account may not be considered as cash balance for the purpose of reducing mill levies.

(4) The districts may use the funds in the accounts proportionally for educational purposes in accordance with the provisions of law. Interest and income from the investment of funds in the account must be credited to the account.

(5) The funds must be financially administered as nonbudgeted funds under the provisions of Title 20."

**Insert:**        "NEW SECTION. Section 9. Coal county workforce redevelopment and training -- special revenue account. (1) There is an account in the state special revenue fund established by 17-2-102 to be known as the coal county workforce redevelopment and training fund.

(2) There must be deposited in the account:

(a) money received from legislative allocations;

(b) money transferred in accordance with [section 6(2)(c)];

(c) a gift, donation, grant, legacy, bequest, or devise made for the purposes of [section 12]; and

(d) interest or other income earned on the money in the account.

(3) The fund may be used by the department of commerce:

(a) to provide grants to mitigate the impacts of the retirement of a coal-fired generating unit or units in accordance with [section 12]; and

(b) for the department's costs of administering [section 12]."

**Insert:**        "NEW SECTION. Section 10. Appropriate retirement -- coal county impact fee waiver. (1) (a) An electrical company, electricity supplier, public utility, or combination of

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

those entities is not subject to the impact fee provided for in [section 5] if the electrical company, electricity supplier, public utility, or combination of entities retires a coal-fired generating unit or units on or before November 30, 2025, because:

(i) the electrical company, electricity supplier, public utility, or combination of entities demonstrates in accordance with rules adopted by the commission pursuant to subsection (2) that the electrical company, electricity supplier, public utility, or combination of entities is not able to meet mandated federal or state standards, standards mandated by a government agency or a court of law, or other coal-fired generating unit or units regulations without unreasonable investment or capital improvement. An investment or capital improvement is considered unreasonable if it is:

(A) economically or technologically unfeasible; or

(B) outside the scope of an improvement or investment that would be made in a similar circumstance by a prudent owner of a coal-fired generating unit or units.

(ii) the electrical company, electricity supplier, public utility, or combination of entities demonstrates in accordance with rules adopted by the commission pursuant to subsection (2) that the coal-fired generating unit or units have reached the end of their useful life.

(b) The commission shall provide an impact fee waiver to an electrical company, electricity supplier, public utility, or combination of entities in accordance with subsection (1)(a) and in accordance with rules adopted by the commission pursuant to subsection (2).

(c) Within 30 days of issuing the waiver, the commission shall provide a copy of the waiver to the department of revenue and to the local governing body where the coal-fired generating unit or units are located.

(2) By January 1, 2017, the commission, using existing resources, shall adopt rules that guide the processes used by an electrical company, electricity supplier, public utility, or combination of entities to facilitate a determination in accordance with subsection (1). The rules must establish:

(a) standards for the evaluation by the commission of the reasonableness of the retirement proposed;

(b) minimum filing requirements for an application for approval of a fee waiver in accordance with subsection (1)(b); and

(c) a fee, no greater than \$500, to accompany an application filed with the commission."

**Insert:** "NEW SECTION. **Section 11. Transmission study.**

(1) Before July 1, 2018, the commission, using existing resources, shall conduct a study or participate in a study being facilitated by a regional transmission planning authority to determine transmission impacts associated with retiring a coal-fired generating unit or units and replacing the respective amounts of capacity with proportional amounts of renewable energy in Montana.

(2)(a) On or before September 1, 2016, the commission shall update the energy and telecommunications interim committee provided for in 5-5-230 on its work in progress in accordance with this section.

(b) On or before September 1, 2018, results of the study must be submitted to the energy and telecommunications interim committee provided for in 5-5-230."

**Insert:** "NEW SECTION. **Section 12. Coal county workforce redevelopment and training grants.** (1)(a) The department may award workforce redevelopment and training grants using money in the coal county workforce redevelopment and training special revenue account established in [section 9].

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

(b) The department may award workforce redevelopment and training grants to primary sector businesses that provide education or skills-based training, through eligible training providers, for employees seeking a new job.

(2) To be eligible for a grant, an applicant shall demonstrate that the applicant is a primary sector business.

(3) A grant may be provided only to an employer offering a new job that has an average weekly wage that meets or exceeds the current average weekly wage of the county in which the employees were principally employed prior to the retirement of a coal-fired generating unit or units.

(4) The grant application, at a minimum, must contain:

(a) a plan containing information that is sufficient for the department to obtain an adequate understanding of how an employee will be assisted through training; and

(b) a training plan, which must include:

(i) a timetable for providing training;

(ii) procedures for outreach, recruitment, screening, training, and placement of employees;

(iii) a description of the training curriculum and resources; and

(iv) a description of the type and method of training to be provided to employees.

(5) If the department determines that an applicant meets the criteria established in this section and has complied with the applicable procedures and review processes established by the department, the department may award a workforce redevelopment and training grant to the employer and authorize the disbursement of funds under contract to the primary sector business.

(6)(a) A contract with a grant recipient must contain provisions providing the department with annual reports on training and placement of employees and a final closeout report that documents the wages to be paid to an employee placed in a new job upon completion of the training.

(b) The contract must be signed by the person in the primary sector business who is assigned the duties and responsibilities for training and the overall success of the program and by the primary sector business's chief executive.

(7) The department may adopt rules to implement this section.

(8) For the purposes of this section the following definitions apply:

(a) "Department" means the department of commerce established in 2-15-1801.

(b) "Eligible training provider" means:

(i) a unit of the university system, as defined in 20-25-201;

(ii) a community college district, as defined in 20-15-101;

(iii) an accredited, tribally controlled community college located in the state of Montana;

(iv) an apprenticeship program that is in compliance with Title 39, chapter 6; or

(v) an entity approved to provide workforce training that is approved by representatives of the BEAR program as defined in 53-2-1216, the small business development centers, or the Montana manufacturing extension center at Montana state university-Bozeman.

(c) "Employee" means an individual seeking a new job because of the retirement of a coal-fired generating unit or units as defined in [section 3]. The term may include an individual who did not work directly in a coal-fired generating unit or units but is unemployed due to the retirement of a coal-fired generating unit or units.

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

(d) "Employer" means the individual, corporation, partnership, or association providing new jobs and entering into a grant contract.

(e) "New job" means a job in a primary sector business.

(f) "Primary sector business" means an employer engaged in operations within Montana.

(g) "Workforce redevelopment and training grants" means grants provided to employers for the purpose of working with eligible training providers to provide employees with education and training required for new jobs in primary sector businesses in the state."

**Insert:       "NEW SECTION. Section 13. Regional collaboration -- coal-fired generation council.** (1) There is a Montana coal-fired generation council.

(2) The council includes:

(a) the governor or the governor's designee;

(b) the attorney general or the attorney general's designee; and

(c) up to 12 members appointed as follows:

(i) one public service commissioner appointed by the public service commission;

(ii) one member from a Montana tribal government who represents a tribal government affected by coal-fired generation, appointed by the affected tribal government;

(iii) two members of the house of representatives, including one from each party, appointed by the speaker of the house;

(iv) two senators, including one from each party, appointed by the committee on committees; and

(v) representatives of each of the owners of a coal-fired generating unit or units, appointed by the governor.

(3) In making legislative appointments, preference shall be given to legislative members with experience in labor policy, coal-fired generation units, or both.

(4) Members of the council, other than legislative members, are not entitled to compensation for their services except for reimbursement of expenses as provided in 2-18-501 through 2-18-503. Legislative members of the council are entitled to compensation pursuant to 5-2-302, which must be paid by the legislative services division.

(5) The council shall:

(a) examine current and future trends and conditions, including:

(i) proposed federal and state regulations and how those regulations may affect coal-fired generation in Montana; and

(ii) the potential impacts to employees of a coal-fired generating unit or units, local governments, schools, and affected tribal governments if a coal-fired generating unit or units are retired; and

(b) encourage states that receive electricity from a coal-fired generating unit or units to cooperate and share information with the coal-fired generation council and establish similar bodies.

(6) The council shall:

(a) meet and organize before September 1, 2015;

(b) meet at least quarterly and may meet more frequently as needed;

(c) keep a record of its proceedings and accept public testimony at each meeting; and

(d) select a presiding officer and a vice presiding officer from its appointed members.

(7) The council may adopt rules for the conduct of its business.

(8) The legislative services division shall provide staff assistance to the council.

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

(9) Prior to July 1 of each even-numbered year, the council shall issue findings to the energy and telecommunications interim committee provided for in 5-5-230 and the environmental quality council established by 5-16-101."

**Insert: "Section 14.** Section 15-10-420, MCA, is amended to read:

**"15-10-420. Procedure for calculating levy.** (1) (a) Subject to the provisions of this section, a governmental entity that is authorized to impose mills may impose a mill levy sufficient to generate the amount of property taxes actually assessed in the prior year plus one-half of the average rate of inflation for the prior 3 years. The maximum number of mills that a governmental entity may impose is established by calculating the number of mills required to generate the amount of property tax actually assessed in the governmental unit in the prior year based on the current year taxable value, less the current year's value of newly taxable property, plus one-half of the average rate of inflation for the prior 3 years.

(b) A governmental entity that does not impose the maximum number of mills authorized under subsection (1)(a) may carry forward the authority to impose the number of mills equal to the difference between the actual number of mills imposed and the maximum number of mills authorized to be imposed. The mill authority carried forward may be imposed in a subsequent tax year.

(c) For the purposes of subsection (1)(a), the department shall calculate one-half of the average rate of inflation for the prior 3 years by using the consumer price index, U.S. city average, all urban consumers, using the 1982-84 base of 100, as published by the bureau of labor statistics of the United States department of labor.

(2) A governmental entity may apply the levy calculated pursuant to subsection (1)(a) plus any additional levies authorized by the voters, as provided in 15-10-425, to all property in the governmental unit, including newly taxable property.

(3) (a) For purposes of this section, newly taxable property includes:

- (i) annexation of real property and improvements into a taxing unit;
- (ii) construction, expansion, or remodeling of improvements;
- (iii) transfer of property into a taxing unit;
- (iv) subdivision of real property; and
- (v) transfer of property from tax-exempt to taxable status.

(b) Newly taxable property does not include an increase in value that arises because of an increase in the incremental value within a tax increment financing district.

(4) (a) For the purposes of subsection (1), the taxable value of newly taxable property includes the release of taxable value from the incremental taxable value of a tax increment financing district because of:

- (i) a change in the boundary of a tax increment financing district;
- (ii) an increase in the base value of the tax increment financing district pursuant to 7-15-4287; or
- (iii) the termination of a tax increment financing district.

(b) If a tax increment financing district terminates prior to the certification of taxable values as required in 15-10-202, the increment value is reported as newly taxable property in the year in which the tax increment financing district terminates. If a tax increment financing district terminates after the certification of taxable values as required in 15-10-202, the increment value is reported as newly taxable property in the following tax year.

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

(c) For the purpose of subsection (3)(a)(ii), the value of newly taxable class four property that was constructed, expanded, or remodeled property since the completion of the last reappraisal cycle is the current year market value of that property less the previous year market value of that property.

(d) For the purpose of subsection (3)(a)(iv), the subdivision of real property includes the first sale of real property that results in the property being taxable as class four property under 15-6-134 or as nonqualified agricultural land as described in 15-6-133(1)(c).

(5) Subject to subsection (8), subsection (1)(a) does not apply to:

(a) school district levies established in Title 20; or

(b) a mill levy imposed for a newly created regional resource authority.

(6) For purposes of subsection (1)(a), taxes imposed do not include net or gross proceeds taxes received under 15-6-131 and 15-6-132.

(7) In determining the maximum number of mills in subsection (1)(a), the governmental entity:

(a) may increase the number of mills to account for a decrease in reimbursements; and

(b) may not increase the number of mills to account for a loss of tax base;

(i) because of legislative action that is reimbursed under the provisions of 15-1-121(7);

(ii) due to the retirement of a coal-fired generating unit or units, if the governmental entity is collecting an impact fee or receiving distributions from the county impact fund in accordance with [section 5] that account for the loss of tax base; or

(iii) because of the cessation of the payment of a coal county impact fee in accordance with [section 5] that has accounted for the loss of tax base.

(8) The department shall calculate, on a statewide basis, the number of mills to be imposed for purposes of 15-10-108, 20-9-331, 20-9-333, 20-9-360, and 20-25-439. However, the number of mills calculated by the department may not exceed the mill levy limits established in those sections. The mill calculation must be established in tenths of mills. If the mill levy calculation does not result in an even tenth of a mill, then the calculation must be rounded up to the nearest tenth of a mill.

(9) (a) The provisions of subsection (1) do not prevent or restrict:

(i) a judgment levy under 2-9-316, 7-6-4015, or 7-7-2202;

(ii) a levy to repay taxes paid under protest as provided in 15-1-402;

(iii) an emergency levy authorized under 10-3-405, 20-9-168, or 20-15-326;

(iv) a levy for the support of a study commission under 7-3-184;

(v) a levy for the support of a newly established regional resource authority;

(vi) the portion that is the amount in excess of the base contribution of a governmental entity's property tax levy for contributions for group benefits excluded under 2-9-212 or 2-18-703; or

(vii) a levy for reimbursing a county for costs incurred in transferring property records to an adjoining county under 7-2-2807 upon relocation of a county boundary.

(b) A levy authorized under subsection (9)(a) may not be included in the amount of property taxes actually assessed in a subsequent year.

(10) A governmental entity may levy mills for the support of airports as authorized in 67-10-402, 67-11-301, or 67-11-302 even though the governmental entity has not imposed a levy for the airport or the airport authority in either of the previous 2 years and the airport or airport authority has not been appropriated operating funds by a county or municipality during that time.

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

(11) The department may adopt rules to implement this section. The rules may include a method for calculating the percentage of change in valuation for purposes of determining the elimination of property, new improvements, or newly taxable property in a governmental unit."

**Insert:** "NEW SECTION. Section 15. Appropriation. There is appropriated \$6,000 from the general fund to the legislative services division for the biennium beginning July 1, 2015, to support the activities of the coal-fired generation council established in [section 13]."

**Insert:** "NEW SECTION. Section 16. Notification to tribal governments. The secretary of state shall send a copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell Chippewa tribe."

**Insert:** "NEW SECTION. Section 17. Codification instruction. (1) [Sections 1 through 11] are intended to be codified as an integral part of Title 69, and the provisions of Title 69 apply to [sections 1 through 11].

(2) [Section 12] is intended to be codified as an integral part of Title 39, and the provisions of Title 39 apply to [section 12].

(3) [Section 13] is intended to be codified an integral part of Title 5, chapter 5, and the provisions of Title 5, chapter 5, apply to [section 13]."

**Insert:** "NEW SECTION. Section 18. Coordination section. If the legislative branch biennium budget included in House Bill No. 2 includes funding for a joint subcommittee of the energy and telecommunications interim committee and the environmental quality council to meet during the 2015-2016 interim to oversee environmental protection agency rulemaking related to air quality and impacting coal-fired generating units, and [this act] is passed and approved and includes the establishment of a coal-fired generation council, the appropriation in House Bill No. 2 must be used to support the activities of the coal-fired generation council established in [section 13] and fulfills the purpose of overseeing environmental protection agency rulemaking."

**Insert:** "NEW SECTION. Section 19. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

**Insert:** "NEW SECTION. Section 20. Saving clause. [This act] does not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun before [the effective date of this act]."

**Insert:** "NEW SECTION. Section 21. Effective date. [This act] is effective on passage and approval."

And, as amended, be concurred in. Report adopted.

**HUMAN SERVICES** (Wittich, Chair):  
**SB 411**, be amended as follows:

4/14/2015

1. Title, page 1, line 9.

**Following:** "CENTER;"

**Insert:** "ESTABLISHING LIMITS ON EXPENDITURES;"



HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

2. Page 3.

**Following:** line 19

**Insert:** "NEW SECTION. Section 5. Limitation on expenditures. For the biennium beginning July 1, 2015, expenditures for placing seriously developmentally disabled individuals in private, community-based residential facilities pursuant to Title 53, chapter 20, part 1, or in accordance with 46-14-221 or 46-14-312 may not exceed the amount appropriated in House Bill No. 2 for the Montana developmental center."

**Renumber:** subsequent sections

3. Page 6, line 5 through line 6.

**Strike:** "a seriously" on line 5 through "facility" on line 6

**Insert:** "individuals committed to a residential facility pursuant to this chapter or placed in a residential facility pursuant to Title 46, chapter 14"

4. Page 20, line 26.

**Strike:** "5"

**Insert:** "6"

And, as amended, be concurred in. Report adopted.

**NATURAL RESOURCES** (White, Chair):

4/13/2015

**SB 20**, be concurred in. Report adopted.

**SB 326**, be concurred in. Report adopted.

**SB 387**, be amended as follows:

1. Title, line 5.

**Following:** "HEALTH"

**Strike:** "OR"

**Insert:** ", "

2. Title, line 6.

**Following:** "ENVIRONMENT"

**Insert:** ", OR THE DEPARTMENT OF ENVIRONMENTAL QUALITY'S ABILITY TO PROTECT HUMAN HEALTH OR THE ENVIRONMENT"

3. Page 3, line 6.

**Following:** "health"

**Strike:** "or"

**Insert:** ", "

**Following:** "environment"

**Insert:** ", or the department's ability to protect human health or the environment"

And, as amended, be concurred in. Report adopted.

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

**SB 409**, be concurred in. Report adopted.

**SJR 18**, be amended as follows:

1. Page 2, line 20.

**Following:** "resources"

**Insert:** ", "

2. Page 2, line 21.

**Following:** "LIBRARIAN"

**Strike:** ", " through "institute"

3. Page 2, line 29.

**Following:** line 28

**Insert:** "BE IT FURTHER RESOLVED, that the study include the impact of the use of LIDAR data on individual privacy."

And, as amended, be concurred in. Report adopted.

**TAXATION** (Miller, Chair):

4/14/2015

**SB 194**, be amended as follows:

1. Page 3, line 8 through line 10.

**Strike:** section 3 in its entirety

**Renumber:** subsequent sections

2. Page 3, line 15.

**Strike:** "2013"

**Insert:** "2014"

And, as amended, be concurred in. Report adopted.

**SB 264**, be amended as follows:

1. Title, page 1, line 7.

**Following:** "PROGRAM;"

**Insert:** "PROVIDING A STATUTORY APPROPRIATION;"

**Strike:** "SECTION"

**Insert:** "SECTIONS"

**Following:** "15-68-820"

**Insert:** "AND 17-7-502"

2. Page 1, line 24.

**Strike:** "(2)(B)(II), 1%"

**Insert:** "(1)(b)(ii), 7.5%"

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

3. Page 1, line 29.

**Strike:** "(2)(B)(I)"

**Insert:** "(1)(b)(i)"

4. Page 2, line 1.

**Strike:** "1%"

**Insert:** "7%"

5. Page 2, line 5.

**Strike:** "1%"

**Insert:** "7%"

6. Page 2, line 7.

**Strike:** "1%"

**Insert:** "3.5%"

7. Page 2, line 9.

**Strike:** "1%"

**Insert:** "2%"

8. Page 2, line 11.

**Strike:** "93% of"

9. Page 2, line 12.

**Following:** line 11

**Insert:** "(3) The allocations in subsections (1)(a) through (1)(g) are statutorily appropriated, as provided in 17-7-502, for the indicated purposes."

**Renumber:** subsequent subsections

10. Page 2, line 21.

**Following:** line 20

**Insert:** "**Section 3.** Section 17-7-502, MCA, is amended to read:

**"17-7-502. Statutory appropriations -- definition -- requisites for validity.** (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

(3) The following laws are the only laws containing statutory appropriations: 2-15-247; 2-17-105; 5-11-120; 5-11-407; 5-13-403; 7-4-2502; 10-1-108; 10-1-1202; 10-1-1303; 10-2-603; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-121; 15-1-218; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121; 15-68-820; 15-70-101; 15-70-369; 15-70-601; 16-11-509; 17-3-106; 17-3-112; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 18-11-112; 19-3-319; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-8-107; 20-9-534; 20-9-622; 20-26-1503; 22-1-327; 22-3-1004; 23-4-105; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 30-10-1004; 37-43-204; 37-51-501; 39-1-105; 39-71-503; 41-5-2011; 42-2-105; 44-4-1101; 44-12-206; 44-13-102; 53-1-109; 53-1-215; 53-2-208; 53-9-113; 53-24-108; 53-24-206; 60-11-115; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 76-13-150; 76-13-416; 77-1-108; 77-2-362; 80-2-222; 80-4-416; 80-11-518; 81-1-112; 81-7-106; 81-10-103; 82-11-161; 85-20-1504; 85-20-1505; 87-1-603; 90-1-115; 90-1-205; 90-1-504; 90-3-1003; 90-6-331; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates contingently when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 10, Ch. 10, Sp. L. May 2000, secs. 3 and 6, Ch. 481, L. 2003, and sec. 2, Ch. 459, L. 2009, the inclusion of 15-35-108 terminates June 30, 2019; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410 terminates contingently upon the death of the last recipient eligible under 19-6-709(2) for the supplemental benefit provided by 19-6-709; pursuant to sec. 14, Ch. 374, L. 2009, the inclusion of 53-9-113 terminates June 30, 2015; pursuant to sec. 5, Ch. 442, L. 2009, the inclusion of 90-6-331 terminates June 30, 2019; pursuant to sec. 16, Ch. 58, L. 2011, the inclusion of 30-10-1004 terminates June 30, 2017; pursuant to sec. 6, Ch. 61, L. 2011, the inclusion of 76-13-416 terminates June 30, 2019; pursuant to sec. 13, Ch. 339, L. 2011, the inclusion of 81-1-112 and 81-7-106 terminates June 30, 2017; pursuant to sec. 11(2), Ch. 17, L. 2013, the inclusion of 17-3-112 terminates on occurrence of contingency; pursuant to secs. 3 and 5, Ch. 244, L. 2013, the inclusion of 22-1-327 is effective July 1, 2015, and terminates July 1, 2017; and pursuant to sec. 10, Ch. 413, L. 2013, the inclusion of 2-15-247, 39-1-105, 53-1-215, and 53-2-208 terminates June 30, 2015.)""

**Renumber:** subsequent sections

11. Page 2, line 24.

**Following:** line 23

**Insert:** "COORDINATION SECTION. Section 5. Coordination instruction. If both Senate Bill No. 180 and [this act] are passed and approved and if both contain a section that amends 15-68-820, then the sections amending 15-68-820 are void and 15-68-820 must be amended as follows:

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

**"15-68-820. Sales tax and use tax proceeds.** (1) ~~All~~ Except as provided in subsections (2) and (3), all money collected under this chapter must, in accordance with the provisions of 17-2-124, be deposited by the department into ~~the general fund~~ an account in the state special revenue fund to the credit of the department. The department may spend from the account in accordance with an expenditure appropriation by the legislature based on an estimate of the costs of collecting and disbursing the proceeds of the tax. The balance of the tax proceeds received each reporting period and not deducted pursuant to the expenditure appropriation must be transferred to an account in the state special revenue fund, as follows:

(a) 1% to the department of fish, wildlife, and parks for the renovation, replacement, and enhancement of state parks;

(b) (i) except as provided in subsection (1)(b)(ii), 7.5% to the department of commerce to be distributed to regional nonprofit tourism corporations for cultural and heritage tourism in the ratio of the proceeds collected in each tourism region to the total proceeds collected statewide; or

(ii) if a regional nonprofit tourism corporation has a nonprofit convention and visitors bureau that has an approved annual marketing plan provided for in 15-65-122, 50% of the funds distributed in the tourism region as provided in subsection (1)(b)(i) must be distributed to the nonprofit convention and visitors bureau in the region;

(c) 7% to the Montana historical society to be used for the ongoing preservation and security of Montana's historic heritage;

(d) 1% to the historical society to be used for the rehabilitation of state-owned heritage property buildings and structures;

(e) 7% to the Montana arts council to be used for programs supporting economic development, education, and cultural tourism;

(f) 3.5% to the Montana heritage preservation and development commission to be used for the preservation, protection, and enhancement of heritage commission historic properties; and

(g) 2% to the department of fish, wildlife, and parks to administer a grant program supporting nonstate-owned heritage properties as provided in [section 2 of Senate Bill No. 264].

(2) Twenty-five percent of the revenue collected on the base rental charge for rental vehicles under 15-68-102(1)(b) and 15-68-102(3)(a)(ii) must be deposited in the state special revenue fund to the credit of the senior citizen and persons with disabilities transportation services account provided for in 7-14-112.

(3) The remaining tax proceeds must be deposited in the state general fund.

(4) The allocations in subsections (1)(a) through (1)(g) are statutorily appropriated, as provided in 17-7-502, for the indicated purposes.

(5) An entity receiving sales and use tax proceeds as provided in subsections (1)(a) through (1)(g) shall report biennially to the interim committee with monitoring duties for the entity. The report must include the amount spent, the projects funded, the progress made in achieving the goals of the funded projects, and administrative costs."

**Renumber:** subsequent sections

And, as amended, be concurred in. Report adopted.

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

**MESSAGES FROM THE SENATE**

**HB 211** - The Senate acceded to the request of the House and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on Senate amendments to **HB 211**:

4/14/2015

Senator D. Brown, Chair  
Senator Driscoll  
Senator Kary

**SB 261** - The Senate failed to concur in the House amendments to **SB 261** and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on Senate amendments to **SB 261**:

4/14/2015

Senator Hamlett, Chair  
Senator L. Jones  
Senator F. Moore

**MESSAGES FROM THE GOVERNOR**

April 13, 2015

The Honorable Austin Knudsen  
Speaker of the House  
State Capitol  
Helena, Montana 59620

Dear Speaker Knudsen:

Please be informed that I have signed **House Bill 68** sponsored by Representative Kelker, **House Bill 209** sponsored by Representative Schreiner, **House Bill 288** sponsored by Representative Richmond, **House Bill 331** sponsored by Representative Schwaderer, **House Bill 478** sponsored by Representative Williams, **House Bill 529** sponsored by Representative Court, and **House Bill 580** sponsored by Representative B. Bennett on April 13, 2015.

Sincerely,

STEVE BULLOCK  
Governor

**FIRST READING AND COMMITMENT OF BILLS**

The following House joint resolution was introduced, read first time, and referred to committee:

**HJR 30**, introduced by R. Ehli, referred to Human Services.

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Lavin in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 60 - Senate Amendments** - Representative Curdy moved Senate amendments to **HB 60** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.  
Total 70

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Fiscus, Fitzpatrick, Glimm, Harris, Hertz, Hess, Lamm, Lang, Laszloffy, Manzella, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Ricci, Tschida, Wagoner, White, Wittich, Zolnikov.  
Total 30

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 119 - Senate Amendments** - Representative Berry moved Senate amendments to **HB 119** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon,

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.  
Total 87

Nays: Berglee, B. Brown, Doane, Harris, Lamm, Manzella, Miller, Monforton, Mortensen, Tschida, White, Wittich, Zolnikov.  
Total 13

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 244 - Senate Amendments** - Representative Essmann moved Senate amendments to **HB 244** be concurred in. Motion carried as follows:

Yeas: Ballance, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hollandsworth, Holmlund, Jones, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Osmundson, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, Mr. Speaker.  
Total 55

Nays: B. Bennett, J. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hess, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lieser, MacDonald, McCarthy, McClafferty, McConnell, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, White, Williams, Wilson, Wittich, Woods, Zolnikov.  
Total 45

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 374 - Senate Amendments** - Representative McClafferty moved Senate amendments to **HB 374** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Olszewski,



HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 66

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Doane, Ehli, Fiscus, Glimm, Greef, Hagstrom, Harris, Hess, Jones, Lamm, Lang, Laszloffy, Manzella, McKamey, Monforton, Mortensen, Noland, Pinocci, Randall, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 34

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 7** - Representative Wagoner moved **SB 7** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Williams, Wilson, Woods, Mr. Speaker.

Total 79

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Fiscus, Glimm, Lamm, Manzella, McKamey, Miller, Monforton, Mortensen, Noland, Pinocci, Randall, Regier, Schwaderer, Welborn, White, Wittich, Zolnikov.

Total 21

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 47** - Representative Flynn moved **SB 47** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

Ill, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Woods.

Total 77

Nays: J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Fitzpatrick, Glimm, Hess, Jones, Lamm, Manzella, Monforton, Noland, Osmundson, Pinocci, Randall, Regier, Staffanson, Tschida, Wagoner, Wittich, Zolnikov, Mr. Speaker.

Total 23

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 100** - Representative Pierson moved **SB 100** be concurred in. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: Ballance, B. Brown, Laszloffy, Manzella, Peppers, Staffanson, Tschida, Wittich.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 102** - Representative White moved **SB 102** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill,

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 92

Nays: Brodehl, B. Brown, Manzella, Monforton, Mortensen, Pinocci, Staffanson, Wittich.  
Total 8

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 107** - Representative Lamm moved **SB 107** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Meyers, Monforton, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 50

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Funk, Hayman, Hill, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Moore, Mortensen, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Williams, Wilson, Woods.  
Total 49

Excused: None.  
Total 0

Absent or not voting: Miller.  
Total 1

**SB 122** - Representative White moved **SB 122** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland,

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Z. Brown, Burnett, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 40

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 136** - Representative G. Bennett moved **SB 136** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Person, Wagoner.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 175** - Representative Wilson moved **SB 175** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III,

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Richmond, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Williams, Wilson, Woods, Mr. Speaker.  
Total 72

Nays: Ballance, J. Bennett, Berglee, B. Brown, Burnett, Glimm, Harris, Hollandsworth, Jones, Lamm, Lang, Laszloffy, Mandeville, Manzella, Monforton, Mortensen, Pinocci, Redfield, Regier, Ricci, Salomon, Schwaderer, Staffanson, Tschida, Welborn, White, Wittich, Zolnikov.  
Total 28

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 245** - Representative Flynn moved **SB 245** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Lieser, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Price, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Staffanson, Steenberg, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 63

Nays: B. Bennett, Court, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Salomon, Schreiner, Smith, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 37

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 284** - Representative Lang moved **SB 284** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin,

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 40

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Lavin moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 91

Nays: Curdy, Essmann, Funk, Lynch, Olsen, Perry, Smith, Wittich, Zolnikov.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**SB 293 failed** as follows:

Yeas: J. Bennett, Berry, B. Brown, Clark, Cuffe, Doane, Ehli, Essmann, Fitzpatrick, Garner, Glimm, Greef, Hagstrom, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Kelker, Lamm, Lang, Lavin, Lynch, Mandeville, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Osmundson, Pierson, Randall, Redfield, Regier, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Tropila, Wagoner, Welborn, White, Mr. Speaker.  
Total 46

Nays: Ballance, B. Bennett, Berglee, Brodehl, Z. Brown, Burnett, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fiscus, Flynn, Funk, Harris, Hayman, Hill, Hunter, Jones, Karjala, Kipp III, Laszloffy, Lieser, MacDonald, Manzella, McCarthy, McClafferty, McConnell, Miller, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pinocci, Pope, Price, Ricci, Richmond, Salomon, Steenberg, Swanson, Tschida, Webber, Williams, Wilson, Wittich, Woods, Zolnikov.  
Total 54

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 334 concurred in** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 53

Nays: B. Bennett, Z. Brown, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 47

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 33** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr.

Speaker.

Total 94

Nays: Monforton, Redfield, Schwaderer, White, Wittich, Zolnikov.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 34** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr.

Speaker.

Total 93

Nays: Burnett, Lamm, Monforton, Schwaderer, White, Wittich, Zolnikov.

Total 7



HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 358** passed as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Garner, Greef, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Mortensen, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 63

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Glimm, Hagstrom, Harris, Hertz, Hess, Jones, Lamm, Laszloffy, Mandeville, Manzella, Miller, Monforton, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Ricci, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 37

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 373** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, MacDonald, Mandeville, Manzella, McClafferty, McConnell, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 90

Nays: B. Brown, Burnett, Essmann, Fitzpatrick, Lynch, McCarthy, Mehlhoff, Noonan, Wittich, Zolnikov.

Total 10

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 379** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Lamm, Meyers, White, Wittich.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 448** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dunwell, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jones, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Mandeville, Manzella, McCarthy, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Perry, Pinocci, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Tschida, Wagoner, Webber, Welborn, Wilson, Zolnikov, Mr. Speaker.

Total 75

Nays: Dudik, Eck, Fitzpatrick, Hayman, Hunter, Jacobson, Karjala, Kipp III, Lynch, MacDonald, McClafferty, Noonan, Pease-Lopez, Peppers, Person, Pierson, Pope, Price, Redfield, Swanson, Tropila, White, Williams, Wittich, Woods.

Total 25

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 450** passed as follows:

Yeas: Ballance, J. Bennett, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Kelker, Lamm, Lang, Laszloffy, Lavin, MacDonald, Mandeville, Manzella, McCarthy, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Perry, Person, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Steenberg, Tschida, Wagoner, Welborn, White, Woods, Zolnikov, Mr. Speaker.  
Total 69

Nays: B. Bennett, Berglee, Z. Brown, Court, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Karjala, Kipp III, Lieser, Lynch, McClafferty, McConnell, Olsen, Pease-Lopez, Peppers, Pope, Price, Schreiner, Smith, Swanson, Tropila, Webber, Williams, Wilson, Wittich.  
Total 31

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 491** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.  
Total 93

Nays: B. Brown, Lamm, Miller, Mortensen, White, Wittich, Zolnikov.  
Total 7

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 503** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, McCarthy, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Noland, Noonan, Olszewski, Osmundson, Perry, Person, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Shaw, Smith, Wagoner, Welborn, White, Mr. Speaker.

Total 61

Nays: B. Bennett, Burnett, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Karjala, Kelker, Kipp III, Lieser, MacDonald, Manzella, McClafferty, Miller, Mortensen, Olsen, Pease-Lopez, Peppers, Pope, Price, Schreiner, Schwaderer, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 39

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 516** passed as follows:

Yeas: B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 87

Nays: Ballance, J. Bennett, B. Brown, Glimm, Lamm, Manzella, Monforton, Noland, Pinocci, Schwaderer, Tschida, White, Wittich.

Total 13

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 523** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: J. Bennett, Essmann, Lamm, White, Wittich.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 533** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.

Total 57

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods.

Total 43

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 538** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 94

Nays: J. Bennett, Brodehl, Hess, White, Zolnikov.

Total 5

Excused: None.

Total 0

Absent or not voting: Fiscus.

Total 1

**HB 542** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lieser, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 77

Nays: J. Bennett, Brodehl, Burnett, Clark, Cook, Doane, Fitzpatrick, Glimm, Hayman, Jones, Lamm, Lavin, Lynch, Manzella, Monforton, Mortensen, Noonan, Redfield, Staffanson, Wagoner, White, Wittich, Zolnikov.

Total 23

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 550** passed as follows:

Yeas: B. Bennett, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 76

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Fiscus, Flynn, Hess, Lamm, Lang, Laszloffy, Manzella, Miller, Monforton, Mortensen, Pinocci, Randall, Redfield, Schwaderer, Staffanson, Tschida, White, Wittich, Zolnikov.

Total 24

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 553** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 97

Nays: White, Wittich, Zolnikov.

Total 3

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 554** passed as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 68

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Doane, Flynn, Glimm, Hagstrom, Harris, Hertz, Hess, Jones, Lamm, Manzella, McKamey, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Schwaderer, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 32

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 54** concurred in as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Hayman, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods.

Total 56

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Tschida, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.

Total 44



HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 66** concurred in as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 72

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Doane, Ehli, Glimm, Harris, Hess, Lamm, Laszloffy, Manzella, McCarthy, McKamey, Miller, Monforton, Mortensen, Noland, Pinocci, Randall, Regier, Schwaderer, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 28

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 91** concurred in as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 89

Nays: J. Bennett, Brodehl, B. Brown, Essmann, Glimm, Meyers, Noland, Olsen, Pinocci, Wagoner, Wittich.

Total 11

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 160** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Noland, Olszewski, Osmundson, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Mr. Speaker.

Total 58

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lieser, MacDonald, McCarthy, McClafferty, McConnell, Mortensen, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 42

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 353 failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Mr. Speaker.

Total 58

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Zolnikov.

Total 42

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**MOTIONS**

Representative Hagstrom moved to change their vote on **SB 54** from Yes to No. Without objection, so ordered.

Majority Leader Regier moved **SB 107** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved the House accede to the request of the Senate and appoint a Conference Committee on **SB 261**. Motion carried. Speaker Knudsen appointed:

4/14/2015

Representative Lang

Representative Lynch

Representative Shaw

Minority Leader Hunter moved that **SB 262** be taken from the Judiciary Committee and brought before the Committee of the Whole, Wednesday, April 15, 2015.

Motion **passed** as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 52

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 48

Excused: None.

Total 0

HOUSE JOURNAL  
SEVENTY-FIFTH LEGISLATIVE DAY - APRIL 14, 2015

Absent or not voting: None.

Total 0

Representative Randall rose on appeal, requesting an interpretation of the Rules from the Speaker with regard to the vote requirement on second and third reading for passage of SB 262, pursuant to Article II Section 18 of the Montana State Constitution and H50-160.

The Speaker ruled that pursuant to H70-50 and the power vested in the Speaker of the House, **SB 262** did purport to give immunity from suit to the State of Montana and pursuant to the Montana State Constitution Article II Section 18, this could not be done without a 2/3rds vote of each house of the Legislature. Therefore, it was the Speaker's ruling that **SB 262** required a 2/3rds vote.

Minority Leader Hunter appealed the ruling of the Speaker.

The Speaker announced that the House Rules Committee would meet to review the appeal at a time and place to be determined.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Wednesday, April 15, 2015. Motion carried.

House adjourned at 3:29 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
SEVENTY-SIXTH LEGISLATIVE DAY**

Helena, Montana  
April 15, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Holmlund. Pledge of Allegiance to the Flag. Roll Call. All members present. Quorum present.

**BILLS** (Welborn, Chair):

4/15/2015

Correctly printed: **HJR 27, SB 52, SB 180, SB 212, SB 234, SB 309, SB 399, SJR 20, SJR 21.**

Correctly engrossed: **SB 99, SB 157, SB 171, SB 354.**

Correctly enrolled: **HB 60, HB 119, HB 244, HB 374.**

Transmitted to the Senate: **SB 54, SB 66, SB 91, SB 160, SB 334, SB 353.**

Delivered to the Secretary of State at 8:15 a.m., April 15, 2015: **HR 2.**

**REPORTS OF STANDING COMMITTEES**

Representative Essmann reported on behalf of the House Rules Committee stating that the Speaker's ruling on **SB 262** with respect to Montana Constitution Article II Section 18 was upheld.

Minority Leader Hunter appealed the ruling of the House Rules Committee.

Motion **carried** as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 52

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 48

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

Representative Wittich rose on a **Point of Personal Privilege**. He objected to the vote on the appeal of the House Rules Committee and stated that in his opinion, the votes were improper.

Representative Brodehl rose on a **Point of Personal Privilege** stating that as Legislators, the body had taken an oath to uphold the rules as agreed upon and to uphold the Montana State Constitution and that by appealing the rulings of the House Rules Committee, this was not happening.

Minority Leader Hunter rose on a **Point of Personal Privilege** stating that he felt all rules and procedures had been followed.

**APPROPRIATIONS** (Ballance, Chair): 4/14/2015  
**HJR 27**, be adopted. Report adopted.  
**SB 52**, be concurred in. Report adopted.  
**SB 180**, be concurred in. Report adopted.  
**SB 212**, be concurred in. Report adopted.  
**SB 234**, be concurred in. Report adopted.  
**SB 399**, be concurred in. Report adopted.

**APPROPRIATIONS** (Ballance, Chair): 4/15/2015

**SB 99**, be amended as follows:

1. Page 10, line 17.  
**Strike:** "SUBSECTIONS"  
**Insert:** "subsection"  
**Following:** "(3)(b)"  
**Strike:** "AND (3)(C)"

And, as amended, be concurred in. Report adopted.

**SB 354**, be amended as follows:

1. Title, page 1, line 4.  
**Following:** "PROGRAM"  
**Insert:** "WITHIN THE COAL SEVERANCE TAX TRUST FUND"

2. Title, page 1, line 10.  
**Following:** "SUBCOMMITTEE;"  
**Insert:** "REQUIRING LOCAL GOVERNMENTS TO PROVIDE MATCHING FUNDS FOR PROJECTS BASED ON A FORMULA;"

3. Title, page 1, line 11.  
**Strike:** "CREATING"  
**Insert:** "ALLOCATING AND TRANSFERRING COAL SEVERANCE TAX FUNDS TO"

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

4. Title, page 1, line 12.

**Following:** "FUND"

**Strike:** "AND"

**Insert:** "; CREATING A"

5. Title, page 1, line 13 through 14.

**Following:** "TAXES;"

**Strike:** "PROVIDING" on line 13 through "FUND;" on line 14

**Insert:** "PROVIDING A STATUTORY APPROPRIATION;"

6. Title, page 1, line 14.

**Strike:** "SECTION"

**Insert:** "SECTIONS"

**Following:** "17-5-703"

**Insert:** "AND 17-7-502"

7. Page 1, line 21.

**Strike:** "and principal"

8. Page 1, line 22.

**Strike:** "5"

**Insert:** "6"

9. Page 1, line 24.

**Strike:** "5"

**Insert:** "6"

10. Page 2, line 4.

**Following:** line 3

**Insert:** "(f) facilities for schools in limited exigent circumstances as outlined in 20-9-516(1)(c),(1)(d), and (1)(f);"

**Renumber:** subsequent subsections

11. Page 2, line 8.

**Following:** "government,"

**Insert:** "a school district,"

12. Page 2, line 16 through line 19.

**Strike:** "The state treasurer" on line 16 through "through 5]" on line 19

**Insert:** "The account receives earnings from the build Montana endowment fund as provided in 17-5-703. The money in the account is statutorily appropriated, as provided in 17-7-502, to the department of commerce and may be used only for infrastructure projects authorized by the legislature under [sections 1 through 6]"

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

13. Page 3, line 6.

**Following:** "~~(1)(f):~~"

**Insert:** "Between 10% and 15% of the funding for projects in the list must be dedicated to projects outlined in 20-9-516(1)(c), (1)(d), and (1)(f)."

14. Page 3, line 21.

**Following:** "governments,"

**Strike:** "or"

**Following:** "districts"

**Insert:** "governing bodies of school districts, or"

15. Page 3, line 24.

**Insert:** "NEW SECTION. **Section 6. Formula for local government match rate based on relative participation ratio.** (1) The match rate for a local government is calculated based on its relative participation ratio.

(2) The relative participation ratio for a local government that is not a county is the number of its city-reported mills divided by the median of the city-reported mills of all cities as reported in the most recent biennial report of the department of revenue.

(3) The relative participation ratio for a county is the sum of its county mills divided by the median of county mills of all counties as reported in the department of revenue's most recent biennial report. The sum of county mills includes all mills other than the city mills as reported in the most recent biennial report of the department of revenue, including state, county, countywide school, and local school average mills, fire district average mills, and miscellaneous mills.

(4) The match rate for a local government is calculated by:

(a) subtracting the local government's relative participation ratio from 1;

(b) dividing the difference by 2; and

(c) multiplying the quotient by 1."

16. Page 3, line 25 through page 6, line 22.

**Strike:** section 6 in its entirety

**Insert:** "**Section 7.** Section 17-5-703, MCA, is amended to read:

"**17-5-703. (Temporary) Coal severance tax trust funds.** (1) The trust established under Article IX, section 5, of the Montana constitution is composed of the following funds:

(a) a coal severance tax bond fund into which the constitutionally dedicated receipts from the coal severance tax must be deposited;

(b) a treasure state endowment fund;

(c) a treasure state endowment regional water system fund;

(d) a coal severance tax permanent fund;

(e) a coal severance tax income fund; and

(f) a big sky economic development fund.

(2) (a) The state treasurer shall determine, on July 1 of each year, the amount necessary to meet all principal and interest payments on bonds payable from the coal severance tax bond fund during the next 12 months and retain that amount in the coal severance tax bond fund.

(b) The amount in the coal severance tax bond fund in excess of the amount required in subsection (2)(a) must be transferred from that fund as provided in subsections (3) and (4).



HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

(3) (a) Until June 30, 2016, the state treasurer shall quarterly transfer to the treasure state endowment fund 50% of the amount in the coal severance tax bond fund in excess of the amount that is specified in subsection (2) to be retained in the fund.

(b) Until June 30, 2016, the state treasurer shall quarterly transfer to the treasure state endowment regional water system fund 25% of the amount in the coal severance tax bond fund in excess of the amount that is specified in subsection (2) to be retained in the fund.

(c) The state treasurer shall monthly transfer from the treasure state endowment fund to the treasure state endowment special revenue account the amount of earnings, excluding unrealized gains and losses, required to meet the obligations of the state that are payable from the account in accordance with 90-6-710. Earnings not transferred to the treasure state endowment special revenue account must be retained in the treasure state endowment fund.

(d) The state treasurer shall monthly transfer from the treasure state endowment regional water system fund to the treasure state endowment regional water system special revenue account the amount of earnings, excluding unrealized gains and losses, required to meet the obligations of the state that are payable from the account for regional water systems authorized under 90-6-715. Earnings not transferred to the treasure state endowment regional water system special revenue account must be retained in the treasure state endowment regional water system fund.

(4) (a) From July 1, 2005, through June 30, 2025, the state treasurer shall quarterly transfer to the big sky economic development fund 25% of the amount in the coal severance tax bond fund in excess of the amount that is specified in subsection (2) to be retained in the fund.

(b) The state treasurer shall monthly transfer from the big sky economic development fund to the economic development special revenue account, provided for in 90-1-205, the amount of earnings, excluding unrealized gains and losses, required to meet the obligations of the state that are payable from the account in accordance with 90-1-204. Earnings not transferred to the economic development special revenue account must be retained in the big sky economic development fund.

(5) Any amount in the coal severance tax bond fund in excess of the amount that is specified in subsection (2)(a) to be retained in the fund and that is not otherwise allocated under this section must be deposited in the coal severance tax permanent fund. (Terminates June 30, 2016--secs. 8 through 10, Ch. 390, L. 2013.)

**17-5-703. (Effective July 1, 2016) Coal severance tax trust funds.** (1) The trust established under Article IX, section 5, of the Montana constitution is composed of the following funds:

(a) a coal severance tax bond fund into which the constitutionally dedicated receipts from the coal severance tax must be deposited;

(b) a treasure state endowment fund;

(c) a coal severance tax permanent fund;

(d) a coal severance tax income fund; ~~and~~

(e) a big sky economic development fund; and

(f) a build Montana endowment fund.

(2) (a) The state treasurer shall determine, on July 1 of each year, the amount necessary to meet all principal and interest payments on bonds payable from the coal severance tax bond fund during the next 12 months and retain that amount in the coal severance tax bond fund.

(b) The amount in the coal severance tax bond fund in excess of the amount required in subsection (2)(a) must be transferred from that fund as provided in subsections (3) and (4).

(3) (a) Until June 30, 2016, the state treasurer shall quarterly transfer to the treasure state

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

endowment fund 50% of the amount in the coal severance tax bond fund in excess of the amount that is specified in subsection (2) to be retained in the fund.

(b) The state treasurer shall monthly transfer from the treasure state endowment fund to the treasure state endowment special revenue account the amount of earnings, excluding unrealized gains and losses, required to meet the obligations of the state that are payable from the account in accordance with 90-6-710. Earnings not transferred to the treasure state endowment special revenue account must be retained in the treasure state endowment fund.

(4) (a) Starting July 1, 2016, the state treasurer shall quarterly transfer to the build Montana endowment fund provided for in [section 3(1)] 75% of the amount in the coal severance tax bond fund in excess of the amount that is specified in subsection (2) to be retained in the fund.

(b) The state treasurer shall monthly transfer from the build Montana endowment fund to the build Montana special revenue account the amount of earnings, excluding unrealized gains and losses, required to meet the obligations of the state that are payable from the account. Earnings not transferred to the build Montana special revenue account must be retained in the build Montana endowment fund.

~~(4)~~(5) (a) From July 1, 2005, through June 30, 2025, the state treasurer shall quarterly transfer to the big sky economic development fund 25% of the amount in the coal severance tax bond fund in excess of the amount that is specified in subsection (2) to be retained in the fund.

(b) The state treasurer shall monthly transfer from the big sky economic development fund to the economic development special revenue account, provided for in 90-1-205, the amount of earnings, excluding unrealized gains and losses, required to meet the obligations of the state that are payable from the account in accordance with 90-1-204. Earnings not transferred to the economic development special revenue account must be retained in the big sky economic development fund.

~~(5)~~(6) Any amount in the coal severance tax bond fund in excess of the amount that is specified in subsection (2)(a) to be retained in the fund and that is not otherwise allocated under this section must be deposited in the coal severance tax permanent fund."

**Insert:**       **Section 8.** Section 17-7-502, MCA, is amended to read:

**"17-7-502. Statutory appropriations -- definition -- requisites for validity.** (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-15-247; 2-17-105; 5-11-120; 5-11-407; 5-13-403; 7-4-2502; 10-1-108; 10-1-1202; 10-1-1303; 10-2-603; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-121; 15-1-218; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121; 15-70-101; 15-70-369; 15-70-601; 16-11-509; 17-3-106; 17-3-112; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 18-11-112; 19-3-319; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-8-107; 20-9-534; 20-9-622; 20-26-1503; 22-1-327; 22-3-1004; 23-4-105; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 30-10-1004; 37-43-204; 37-51-501; 39-1-105; 39-71-503; 41-5-2011; 42-2-105; 44-4-1101; 44-12-206; 44-13-102; 53-1-109; 53-1-215; 53-2-208; 53-9-113;

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

53-24-108; 53-24-206; 60-11-115; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 76-13-150; 76-13-416; 77-1-108; 77-2-362; 80-2-222; 80-4-416; 80-11-518; 81-1-112; 81-7-106; 81-10-103; 82-11-161; 85-20-1504; 85-20-1505; 87-1-603; 90-1-115; 90-1-205; 90-1-504; 90-3-1003; 90-6-331; [section 3(2)]; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates contingently when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 10, Ch. 10, Sp. L. May 2000, secs. 3 and 6, Ch. 481, L. 2003, and sec. 2, Ch. 459, L. 2009, the inclusion of 15-35-108 terminates June 30, 2019; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410 terminates contingently upon the death of the last recipient eligible under 19-6-709(2) for the supplemental benefit provided by 19-6-709; pursuant to sec. 14, Ch. 374, L. 2009, the inclusion of 53-9-113 terminates June 30, 2015; pursuant to sec. 5, Ch. 442, L. 2009, the inclusion of 90-6-331 terminates June 30, 2019; pursuant to sec. 16, Ch. 58, L. 2011, the inclusion of 30-10-1004 terminates June 30, 2017; pursuant to sec. 6, Ch. 61, L. 2011, the inclusion of 76-13-416 terminates June 30, 2019; pursuant to sec. 13, Ch. 339, L. 2011, the inclusion of 81-1-112 and 81-7-106 terminates June 30, 2017; pursuant to sec. 11(2), Ch. 17, L. 2013, the inclusion of 17-3-112 terminates on occurrence of contingency; pursuant to secs. 3 and 5, Ch. 244, L. 2013, the inclusion of 22-1-327 is effective July 1, 2015, and terminates July 1, 2017; and pursuant to sec. 10, Ch. 413, L. 2013, the inclusion of 2-15-247, 39-1-105, 53-1-215, and 53-2-208 terminates June 30, 2015.)"

{Internal References to 17-7-502:

2-15-247	2-17-105	5-11-120	5-11-407
5-13-403	7-4-2502	10-1-108	10-1-1202
10-1-1303	10-2-603	10-3-203	10-3-310
10-3-312	10-3-312	10-3-314	10-4-301
15-1-121	15-1-218	15-35-108	15-35-108
15-35-108	15-35-108	15-36-332	15-36-332
15-37-117	15-39-110	15-65-121	15-70-101
15-70-369	15-70-601	16-11-509	17-1-508
17-3-106	17-3-112	17-3-212	17-3-222
17-3-241	17-6-101	17-7-501	18-11-112
19-3-319	19-6-404	19-6-410	19-9-702
19-13-604	19-17-301	19-18-512	19-19-305
19-19-506	19-20-604	19-20-607	19-21-203
20-8-107	20-9-534	20-9-622	20-26-1503
22-1-327	22-3-1004	23-4-105	23-4-105
23-5-306	23-5-409	23-5-612	23-7-301
23-7-402	23-7-402	23-7-402	30-10-1004
37-43-204	37-51-501	39-1-105	39-71-503
41-5-2011	42-2-105	44-4-1101	44-12-206
44-13-102	53-1-109	53-1-215	53-2-208

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

53-9-113	53-24-108	53-24-108	53-24-206
60-11-115	61-3-415	69-3-870	75-1-1101
75-5-1108	75-6-214	75-11-313	76-13-150
76-13-416	77-1-108	77-2-362	80-2-222
80-4-416	80-11-518	81-1-112	81-7-106
81-10-103	82-11-161	82-11-161	85-20-1504
85-20-1505	87-1-603	90-1-115	90-1-115
90-1-205	90-1-504	90-3-1003	90-6-331
90-9-306 }			

**Insert:** "NEW SECTION. **Section 9. Fund transfer.** On July 1, 2015, the amount of \$20 million is transferred from the coal severance tax permanent fund to the build Montana fund established in [section 3]."

17. Page 6, line 24.

**Strike:** "5"

**Insert:** "6"

18. Page 6, line 25.

**Strike:** "5"

**Insert:** "6"

19. Page 6, line 27 through page 7, line 1.

**Strike:** section 8 through section 9 in their entirety

**Insert:** "NEW SECTION. Section 11. Effective date. [This act] is effective July 1, 2015."

And, as amended, be concurred in. Report adopted.

**FISH, WILDLIFE AND PARKS** (Flynn, Chair):

4/14/2015

**SB 309**, be concurred in. Report adopted.

**LOCAL GOVERNMENT** (Greef, Chair):

4/14/2015

**SJR 20**, be concurred in. Report adopted.

**SJR 21**, be concurred in. Report adopted.

**TAXATION** (Miller, Chair):

4/14/2015

**SB 157**, be amended as follows:

1. Title, page 1, line 7.

**Following:** "LAND"

**Strike:** ", "

**Insert:** "AND"

2. Title, page 1, line 8.

**Following:** "PROPERTY"

**Strike:** ", " through "LAND"

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

3. Title, page 1, line 10.

**Following:** "15-1-101,"

**Insert:** "15-2-301,"

4. Title, page 1, line 12.

**Following:** "15-15-102,"

**Insert:** "15-15-103,"

5. Page 1, line 20.

**Following:** "three"

**Strike:** ", "

**Insert:** "and"

**Following:** "four"

**Strike:** ", AND class ten"

6. Page 1, line 21.

**Strike:** "15"

**Insert:** "16"

7. Page 1, line 23.

**Strike:** "5; AND 6"

**Insert:** "6 and 7"

8. Page 7, line 30.

**Following:** line 30

**Insert:** "**Section 5.** Section 15-2-301, MCA, is amended to read:

**"15-2-301. Appeal of county tax appeal board decisions.** (1) The county tax appeal board shall mail a copy of its decision to the taxpayer and to the property assessment division of the department of revenue. If the appearance provisions of 15-15-103 have been complied with, a person or the department on behalf of the state or any municipal corporation aggrieved by the action of the county tax appeal board may appeal to the state board by filing with the state tax appeal board a notice of appeal within 30 calendar days after the receipt of the decision of the county board. The notice must specify the action complained of and the reasons assigned for the complaint. Notice of acceptance of an appeal must be given to the county tax appeal board by the state tax appeal board. The state board shall set the appeal for hearing either in its office in the capital or the county seat as the board considers advisable to facilitate the performance of its duties or to accommodate parties in interest. The board shall give to the appellant and to the respondent at least 15 calendar days' notice of the time and place of the hearing.

(2) At the time of giving notice of acceptance of an appeal, the state board may require the county board to certify to it the minutes of the proceedings resulting in the action and all testimony taken in connection with its proceedings. The state board may, in its discretion, determine the appeal on the record if all parties receive a copy of the transcript and are permitted to submit additional sworn statements, or the state board may hear further testimony. For the purpose of expediting its work, the state board may refer any appeal to one of its members or to a designated hearings officer. The board member or hearings officer may exercise all the powers of the board

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

in conducting a hearing and shall, as soon as possible after the hearing, report the proceedings, together with a transcript or a tape recording of the hearing, to the board. The state board shall determine the appeal on the record.

(3) The state tax appeal board must consider an independent appraisal provided by the taxpayer if the appraisal meets standards set by the Montana board of real estate appraisers and the appraisal was conducted within 6 months of the valuation date. If the state board does not use the appraisal provided by the taxpayer in conducting the appeal, the state board must provide to the taxpayer the reason for not using the appraisal.

~~(3)~~(4) On all hearings at county seats throughout the state, the state board or the member or hearings officer designated to conduct a hearing may employ a competent person to electronically record the testimony received. The cost of electronically recording testimony may be paid out of the general appropriation for the board.

~~(4)~~(5) In connection with any appeal under this section, the state board is not bound by common law and statutory rules of evidence or rules of discovery and may affirm, reverse, or modify any decision. To the extent that this section is in conflict with the Montana Administrative Procedure Act, this section supersedes that act. The state tax appeal board may not amend or repeal any administrative rule of the department. The state tax appeal board shall give an administrative rule full effect unless the board finds a rule arbitrary, capricious, or otherwise unlawful.

~~(5)~~(6) The decision of the state tax appeal board is final and binding upon all interested parties unless reversed or modified by judicial review. Proceedings for judicial review of a decision of the state tax appeal board under this section are subject to the provisions of 15-2-303 and the Montana Administrative Procedure Act to the extent that it does not conflict with 15-2-303.

~~(6)~~(7) Sections 15-6-134 and 15-7-111 may not be construed to prevent the department from implementing an order to change the valuation of property."

**Renumber:** subsequent sections

9. Page 16.

**Following:** line 24

**Insert:** "(2) "PCE" means the implicit price deflator for personal consumption expenditures as published quarterly in the survey of current business by the bureau of economic analysis of the U.S. department of commerce.

(3) "PCE inflation factor" for a tax year means the PCE for April of the prior tax year before the tax year divided by the PCE for April 2015."

**Renumber:** subsequent subsections

10. Page 16, line 25.

**Following:** "(2)"

**Insert:** "(a)"

**Following:** "is"

**Insert:** ", subject to the provisions of subsection (4)(b),"

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

11. Page 16, line 26.

**Strike:** "(a)"

**Insert:** "(i)"

**Renumber:** subsequent sections

12. Page 16, line 29.

**Strike:** "10(2)"

**Insert:** "11(2)"

13. Page 16.

**Following:** line 29

**Insert:** "(b) A primary residence may include more than one dwelling when the taxpayer resides in one dwelling for less than 7 months during the tax year and another dwelling for less than 7 months of the same tax year, but lives in the dwellings for more than 7 months of the tax year."

14. Page 17, line 9.

**Strike:** "or"

15. Page 17, line 10.

**Following:** "(b)"

**Insert:** "for assistance under [section 12], the federal adjusted gross income excluding capital and income losses of an applicant as calculated on the Montana income tax return for the prior tax year; or  
(c)"

16. Page 17, line 15.

**Strike:** "11"

**Insert:** "12"

**Strike:** "12"

**Insert:** "13"

17. Page 17, line 16.

**Strike:** "11"

**Insert:** "12"

**Strike:** "12"

**Insert:** "13"

18. Page 17, line 18.

**Strike:** "9"

**Insert:** "10"

19. Page 17, line 20.

**Strike:** "9"

**Insert:** "10"

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

20. Page 17, line 21.

**Strike:** "11"

**Insert:** "12"

**Strike:** "12"

**Insert:** "13"

21. Page 17, line 26.

**Strike:** "9"

**Insert:** "10"

22. Page 17, line 27.

**Following:** "applicant"

**Insert:** "and of the applicant's spouse"

23. Page 18, line 1.

**Strike:** "9"

**Insert:** "10"

24. Page 18, line 10.

**Strike:** "11"

**Insert:** "12"

**Strike:** "12"

**Insert:** "13"

25. Page 18, line 16.

**Strike:** "11"

**Insert:** "12"

**Strike:** "12"

**Insert:** "13"

26. Page 18, line 18.

**Strike:** "11"

**Insert:** "12"

**Strike:** "12"

**Insert:** "13"

27. Page 18, line 19 through line 20.

**Following:** "(11)" on line 19

**Strike:** "A" on line 19 through "12." on line 20

28. Page 18, line 24 through page 19, line 30.

**Strike:** sections 11 and 12 in their entirety

**Insert:** "NEW SECTION. Section 12. Property tax assistance program -- fixed or limited income. (1) There is a property tax assistance program that provides graduated levels of tax assistance for the purpose of assisting citizens with limited or fixed incomes. To be eligible



HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

for the program, applicants must meet the requirements of [section 11].

(2) The first \$200,000 in appraisal value of residential real property qualifying for the property tax assistance program is taxed at the rates established by 15-6-134(2) multiplied by a percentage figure based on the applicant's qualifying income determined from the following table:

Income	Income	Percentage
Single Person	Married Couple	Multiplier
Head of Household		
\$0 - \$8,413	\$0 - \$11,217	20%
\$8,414 - \$12,900	\$11,218 - \$19,630	50%
\$12,901 - \$21,032	\$19,631 - \$28,043	70%

(3) The qualifying income levels contained in subsection (2) must be adjusted annually using the PCE inflation factor defined in [section 10], rounded to the nearest whole dollar amount.

**NEW SECTION. Section 13. Disabled veteran program.** (1) The residential real property of a qualified veteran or a qualified veteran's spouse is eligible to receive a tax rate reduction as provided in [section 12] and this section.

(2) Property qualifying under subsection (1) and owned by a qualified veteran is taxed at the rate provided in 15-6-134 multiplied by a percentage figure based on the applicant's qualifying income determined from the following table:

Income	Income	Percentage
Single Person	Married Couple	Multiplier
Head of Household		
\$0 - \$37,404	\$0 - \$44,885	0%
\$37,405 - \$41,145	\$44,886 - \$48,626	20%
\$41,146 - \$44,885	\$48,627 - \$52,366	30%
\$44,886 - \$48,626	\$52,367 - \$56,107	50%

(3) For a surviving spouse who owns property qualifying under subsection (4), the property is taxed at the rate established by 15-6-134 multiplied by a percentage figure based on the spouse's qualifying income determined from the following table:

Income	Percentage
Surviving Spouse	Multiplier
\$0 - \$31,170	0%
\$31,171 - \$34,911	20%
\$34,912 - \$38,651	30%
\$38,652 - \$42,392	50%

(4) The property tax exemption under this section remains in effect as long as the qualifying income requirements are met and the property is the primary residence owned and occupied by the veteran or, if the veteran is deceased, by the veteran's spouse and the spouse:

- (a) is the owner and occupant of the house;
- (b) is unmarried; and

(c) has obtained from the U.S. department of veterans affairs a letter indicating that the veteran was rated 100% disabled or was paid at the 100% disabled rate by the U.S. department of veterans affairs for a service-connected disability at the time of death or that the veteran died while on active duty or as a result of a service-connected disability.

(5) The qualifying income levels contained in subsections (2) and (3) must be adjusted annually by using the PCE inflation factor defined in [section 10], rounded to the nearest whole dollar amount."

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

29. Page 20, line 21.

**Strike:** "9"

**Insert:** "10"

**Strike:** "12"

**Insert:** "13"

30. Page 21, line 22.

**Following:** "15-6-133"

**Strike:** ", "

**Insert:** "and"

31. Page 21, line 22 through line 23.

**Strike:** "AND" on line 22 through "15-6-143," on line 23

32. Page 21, line 27.

**Following:** line 27

**Insert:** "(iii) For class ten property described in 15-6-143, the objection may be made at any time but only once each valuation cycle. An objection must be made within 30 days from the date on the assessment notice for a reduction in the appraised value to be considered for all years of the 6-year appraisal cycle. Any reduction in value resulting from an objection made more than 30 days after the date of the assessment notice applies only for the subsequent remaining years of the 6-year reappraisal cycle."

33. Page 22, line 16.

**Strike:** ", independent" through the second "property,"

34. Page 22, line 17.

**Following:** "property."

**Insert:** "The county tax appeal board must consider an independent appraisal provided by the taxpayer if the appraisal meets standards set by the Montana board of real estate appraisers and the appraisal was conducted within 6 months of the valuation date. If the department does not use the appraisal provided by the taxpayer in conducting the appeal, the department must provide to the taxpayer the reason for not using the appraisal."

35. Page 24, line 24.

**Following:** "three"

**Strike:** " 1 "

**Insert:** "and"

**Following:** "four"

**Strike:** ", AND class ten"

**Following:** "years"

**Insert:** ", and all property within class ten must be revalued every 6 years"

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

36. Page 24, line 27.

**Following:** "subsection (1)"

**Insert:** "and shall phase in the value of class ten property"

37. Page 24, line 28.

**Following:** "same class"

**Insert:** "and the phased-in value of class ten property"

38. Page 24, line 29.

**Following:** "three"

**Strike:** ", "

**Insert:** "and"

**Following:** "four"

**Strike:** ", "

**Strike:** "AND class ten"

39. Page 24, line 30.

**Following:** "cycle"

**Insert:** ", and the reappraisal of class ten property is complete on December 31 of the sixth year of the reappraisal cycle. The amount of the change in valuation from the base year for class ten property must be phased in each year at the rate of 16.66% of the change in valuation"

40. Page 25, line 8.

**Following:** "three"

**Strike:** ", "

**Insert:** "and"

**Following:** "four"

**Strike:** ", "

**Strike:** "AND ten"

41. Page 25, line 10.

**Following:** "three"

**Strike:** ", "

**Insert:** "and class"

**Following:** "four"

**Strike:** ", "

**Strike:** "AND ten"

42. Page 25, line 12.

**Following:** "years"

**Insert:** ", and must provide that all class ten property in each county is revalued by January 1, 2015, effective for January 1, 2015, and each succeeding 6 years. The resulting valuation changes for class ten property must be phased in for each year until the next reappraisal. If a percentage of change for each year is not established, then the percentage of phase in for class ten property each year is 16.66%"

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

43. Page 25, line 26.

**Following:** "year"

**Insert:** "and, for class ten property, substantially equal taxable values at the end of each cyclical revaluation cycle"

44. Page 35, line 22.

**Following:** line 21

**Insert:** "**Section 24.** Section 15-15-103, MCA, is amended to read:

**"15-15-103. Examination of applicant -- failure to hear application.** (1) Before the county tax appeal board grants any application or makes any reduction applied for, it shall examine on oath the person or agent making the application with regard to the value of the property of the person. A reduction may not be made unless the applicant makes an application, as provided in 15-15-102, and attends the county tax appeal board hearing. An appeal of the board's decision may not be made to the state tax appeal board unless the person or the person's agent has exhausted the remedies available through the county tax appeal board. In order to exhaust the remedies, the person or the person's agent shall attend the county tax appeal board hearing. On written request by the person or the person's agent and on the written concurrence of the department, the county tax appeal board may waive the requirement that the person or the person's agent attend the hearing. The testimony of all witnesses at the hearing must be electronically recorded and preserved for 1 year. If the decision of the county tax appeal board is appealed, the record of the proceedings, including the electronic recording of all testimony, must be forwarded, together with all exhibits, to the state tax appeal board. The date of the hearing, the proceedings before the board, and the decision must be entered upon the minutes of the board, and the board shall notify the applicant of its decision by mail within 3 days. A copy of the minutes of the county tax appeal board must be transmitted to the state tax appeal board no later than 3 days after the board holds its final hearing of the year.

(2) (a) Except as provided in 15-15-201, if a county tax appeal board refuses or fails to hear a taxpayer's timely application for a reduction in valuation of property, the taxpayer's application is considered to be granted on the day following the board's final meeting for that year. The department shall enter the appraisal or classification sought in the application in the property tax record. An application is not automatically granted for the following appeals:

(i) those listed in 15-2-302; and

(ii) if a taxpayer's appeal from the department's determination of classification or appraisal made pursuant to 15-7-102 was not received in time, as provided for in 15-15-102, to be considered by the board during its current session.

(b) The county tax appeal board shall provide written notification of each application that was automatically granted pursuant to subsection (2)(a) to the department, the state tax appeal board, and any affected municipal corporation. The notice must include the name of the taxpayer and a description of the subject property.

(3) The county tax appeal board must consider an independent appraisal provided by the taxpayer if the appraisal meets standards set by the Montana board of real estate appraisers and the appraisal was conducted within 6 months of the valuation date. If the county tax appeal board does not use the appraisal provided by the taxpayer in conducting the appeal, the county board must provide to the taxpayer the reason for not using the appraisal."

**Renumber:** subsequent sections

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

45. Page 36, line 17.

**Strike:** "9"

**Insert:** "10"

**Strike:** "12"

**Insert:** "13"

46. Page 37, line 20.

**Strike:** "11"

**Insert:** "12"

47. Page 42, line 27.

**Strike:** " 1 "

48. Page 42, line 27 through line 28.

**Strike:** "for" on line 27 through "period" on line 28

49. Page 43, line 1.

**Following:** "8%."

**Insert:** "However, the capitalization rate for each year of the base period for tax years 2015 through 2020 may not be less than 8%."

50. Page 45, line 17.

**Strike:** "9"

**Insert:** "10"

**Strike:** "12"

**Insert:** "13"

51. Page 45, line 18.

**Strike:** "9"

**Insert:** "10"

**Strike:** "12"

**Insert:** "13"

And, as amended, be concurred in. Report adopted.

**SB 171**, be amended as follows:

1. Title, line 10.

**Following:** "CREDITS;"

**Insert:** "REVISING CERTAIN INDIVIDUAL INCOME TAX CREDITS;"

2. Title, page 1, line 15.

**Following:** "LAWS;"

**Insert:** "REENACTING THE BIG SKY ON THE BIG SCREEN ACT AND MAKING PERMANENT THE AVAILABILITY AND USE OF TAX CREDITS; PROMOTING THE MOTION PICTURE

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

AND TELEVISION INDUSTRIES AND RELATED MEDIA IN MONTANA BY PROVIDING TAX INCENTIVES FOR FILMING AND FOR DEVELOPING MAGAZINE ADVERTISING IN MONTANA; ALLOWING A PRODUCTION COMPANY A TAX CREDIT FOR EMPLOYING MONTANA RESIDENTS; ALLOWING A PRODUCTION COMPANY A TAX CREDIT FOR QUALIFYING EXPENDITURES MADE IN MONTANA; REQUIRING A PRODUCTION COMPANY TO APPLY TO THE DEPARTMENT OF COMMERCE FOR STATE CERTIFICATION OF A PRODUCTION TO QUALIFY FOR THE TAX CREDITS; REQUIRING AN APPLICATION AND AN APPLICATION FEE FOR A PRODUCTION COMPANY TO CLAIM TAX CREDITS FOR A STATE-CERTIFIED PRODUCTION; REQUIRING THAT THE APPLICATION FEE BE USED FOR ADMINISTERING THE TAX CREDITS; PROVIDING A STATUTORY APPROPRIATION;"

3. Title, line 17.

**Following:** "15-30-2329,"

**Insert:** "15-30-2337, 15-30-2341,"

4. Title, page 1, line 19.

**Following:** "15-63-202,"

**Insert:** "17-7-502,"

5. Title, page 1, line 28.

**Strike:** "15-32-601" through "15-32-611,"

6. Title, page 1, line 29.

**Strike:** "A DELAYED EFFECTIVE DATE"

**Insert:** "EFFECTIVE DATES"

**Strike:** "AN"

7. Title, page 1, line 30.

**Strike:** "DATE"

**Insert:** "DATES"

8. Page 3, line 27.

**Following:** line 26

**Insert:** "NEW SECTION. Section 2. Short title. [Sections 2 through 11] may be cited as the "Big Sky on the Big Screen Act"."

**Insert:** "NEW SECTION. Section 3. Purpose. (1) The purposes of [sections 2 through 11] are to enhance Montana's economy by revitalizing and expanding the motion picture and television industries and related media in Montana and to promote the growth of small businesses. The objectives of [sections 2 through 11] are to:

(a) renew interest in Montana as a premier location for the production of motion pictures, documentaries, television programs and commercials, and magazine advertising;

(b) encourage the creation of jobs that pay well for Montana workers and university graduates;

(c) enhance the growth of Montana businesses that provide goods and services for these

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

types of productions; and

(d) help promote the tourism industry in Montana.

(2) The objectives in subsection (1) will best be achieved by offering tax incentives to production companies for hiring Montana residents and for purchasing Montana goods and services."

**Insert:** "NEW SECTION. Section 4. Definitions. As used in [sections 2 through 11], unless the context requires otherwise, the following definitions apply:

(1) "Compensation" means salary, wages, or other compensation, including related benefits paid to a Montana resident.

(2) (a) "Production" means a nationally or regionally distributed feature-length film, short film, documentary, television series or segment, television pilot, magazine advertising other than advertising for tobacco products, or commercial made in Montana, in whole or in part, for theatrical, television, video, internet, or other viewing.

(b) The term does not include the production of television coverage of news and athletic events or a film, video, internet production, television series, magazine advertising, or commercial that:

(i) contains any obscene material or performance as described in 45-8-201(2); or

(ii) is produced in whole or in part with money received for tobacco product placement, advertisement, or other tobacco use in the production.

(3) (a) "Production company" means a company engaged in the business of producing nationally or regionally distributed productions.

(b) The term does not include a company owned, affiliated, or controlled by, in whole or in part, a company or person that is in default on a loan made by this state or a loan guaranteed by this state or a company or person that has filed for bankruptcy.

(4) (a) "Qualified expenditures" means expenditures in Montana made by a production company that are directly related to a state-certified production. The term includes expenditures for lodging expenses, restaurant and food expenses, location fees, lumber and construction materials, rental of production equipment and vehicles, and supplies and materials that will be used in the production.

(b) The term does not include expenditures made for goods and services obtained out of state.

(5) "Resident" or "Montana resident", for the purpose of determining eligibility for the tax credit provided under [section 8], has the meaning provided in 15-30-2101.

(6) "State-certified production" means a production certified by the department of commerce as provided in [section 5] and produced by a production company that has a national or regional distribution plan, including but not limited to a major theatrical exhibition, film festival, television network, cable television programming, magazine advertising, or video or internet distribution."

**Insert:** "NEW SECTION. Section 5. Application for state certification -- approval -- revocation -- eligibility for tax credits -- rules. (1) A production company may not receive the tax credits allowed under [sections 8 and 9] unless the production has been certified by the department of commerce, as provided in this section, and has applied to the department of revenue for the tax credits as provided in [section 7]. The certification by the department of commerce must occur within 30 days after submission of the application under this section.

(2) An application, on a form provided by the department of commerce, must be submitted by the production company to the department of commerce before the start of principal

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

photography. The application must include:

(a) the production company's name, primary home address, business address, telephone and fax numbers, incorporation information, and federal tax identification number;

(b) the address and telephone and fax numbers of the production company's Montana office;

(c) the name of the line producer, unit production manager, or production accountant or the names of all three;

(d) a statement that the applicant meets the definition of a production company under [section 4];

(e) the title of the production;

(f) the type of production;

(g) the proposed dates of production from preproduction to the start and completion of principal photography;

(h) a copy or synopsis of the production script;

(i) a list of the production locations;

(j) a statement that the proposed production:

(i) does not contain any material or performance that would be considered obscene under 45-8-201(2); or

(ii) will not receive any money for tobacco product placement, advertisement, or other tobacco use in the production; and

(k) if the production is a feature-length film, a statement that the production will include a line in the production's film credits that the production was filmed in Montana.

(3) The application must be signed by the manager, agent, president, vice president, or other person authorized to represent the production company.

(4) (a) The department of commerce shall notify the applicant within 30 days of receipt of the application as to whether the production qualifies as a state-certified production.

(b) (i) Subject to subsection (4)(b)(ii), if the department of commerce approves the application, the department of commerce shall provide a certification number to the applicant and notify the department of revenue of the approval and certification number.

(ii) If the production is a feature-length film, the production company and the department of commerce, prior to the issuance of the certification number, shall enter into an agreement that the production company will comply with the provisions of subsection (2)(k). The agreement may provide for remedies if the production company violates the agreement.

(5) If the department of commerce determines that the production company has violated the provisions of subsection (2)(d) or (2)(j), the department of commerce may revoke the state certification of the production. If the department of commerce revokes the state certification, the department of commerce shall notify the department of revenue. The production company has the right to a hearing under Title 2, chapter 4, part 6.

(6) The department of commerce shall prescribe rules, including a procedure for review of that department's denial or revocation of state certification, necessary to carry out the provisions of this section."

**Insert:**       "NEW SECTION. Section 6. Submission of costs. Within 60 days of completion of principal photography, the production company shall submit to the department a statement of all expenditures and compensation paid to Montana residents."

**Insert:**       "NEW SECTION. Section 7. Application for tax credit -- fee. (1) To receive the



HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

tax credits under [sections 8 and 9] for a state-certified production, a production company shall apply to the department on a form prescribed by the department. The form must be accompanied by an application fee. The application must be made and the fee paid at the time the production company files its tax return.

(2) The application fee is \$500.

(3) The fee must be deposited in the state special revenue account. The fee is statutorily appropriated, as provided in 17-

7-502, in equal amounts to the department of revenue and the department of commerce to administer the provisions of [section 5 and sections 7 through 11]."

**Insert:** "NEW SECTION. Section 8. Employment production tax credit. (1) A production company that has submitted an application for a tax credit and paid the fee as required under [section 7] is allowed a tax credit against the taxes imposed by chapter 30 or 31 for the employment of residents of this state in connection with a state-certified production in the state. Except as provided in subsection (4)(b), the credit is equal to credit carryovers and the credit for the tax year.

(2) The aggregate of the credit allowed under this section for a production occurring in the production company's tax year is equal to the sum of 14% of the first \$50,000 or less of actual compensation paid to each Montana resident employed in connection with the state-certified production during the tax year.

(3) The taxpayer is required to provide to the department, on a form prescribed by the department, a list of all cast and crew participating in the production and the amount of compensation paid to each Montana resident. The form returned by the taxpayer must include the certification number provided for in [section 5].

(4) If the credit exceeds the taxpayer's tax liability, the taxpayer shall make a one-time election to claim the credit for each state-certified production allowed under this section as follows:

(a) the credit may be refunded; or

(b) the credit may be carried forward against the taxes imposed by chapter 30 or 31 for the 4 succeeding tax years.

(5) A C. corporation, an individual, an S. corporation, or a partnership qualifies for the credit under this section. If the credit is claimed by an S. corporation or a partnership, the credit must be attributed to the shareholders, partners, or members in the same proportion used to report income or loss for state tax purposes.

(6) The credit allowed under this section may not be claimed by a taxpayer if the taxpayer has included the amount of the compensation upon which the amount of the credit was computed as a deduction under 15-30-2131 or 15-31-114.

(7) If any application of this section is held invalid, this section applies to other situations or persons in a manner that is not included in the invalid application."

**Insert:** "NEW SECTION. Section 9. Tax credit for qualified expenditures. (1) A production company that has submitted an application and paid the fee as required under [section 7] is allowed a tax credit against the taxes imposed by chapter 30 or 31 for qualified expenditures in this state made in connection with a state-certified production in the state. The credit allowed under this section is equal to 9% of the total qualified expenditures incurred in connection with the state-certified production during the tax year.

(2) (a) The taxpayer is required to provide to the department, on a form prescribed by the department, the amount of qualified expenditures. The form returned by the taxpayer must include the certification number provided for in [section 5]. The taxpayer shall also provide other

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

information required by the department to verify the accuracy of the qualified expenditures.

(b) The taxpayer shall certify in writing to the department, under penalty of false swearing as provided in 45-7-202, that the taxpayer has paid in full to each vendor in Montana for all goods and services purchased by the taxpayer in connection with the state-certified production during the tax year. A credit under this section may not be claimed unless the taxpayer has paid in full for all purchases of goods and services from Montana vendors.

(3) The credit allowed under this section must be refunded if a taxpayer has tax liability less than the amount of the credit.

(4) A C. corporation, an individual, an S. corporation, or a partnership qualifies for the credit under this section. If the credit is claimed by an S. corporation or a partnership, the credit must be attributed to the shareholders, partners, or members in the same proportion used to report income or loss for state tax purposes.

(5) The credit allowed under this section may not be claimed by a taxpayer if the taxpayer has included the amount of the qualified expenditure upon which the amount of the credit was computed as a deduction under 15-30-2131 or 15-31-114."

**Insert:** "NEW SECTION. **Section 10. Denial of claim for credit -- recapture.** A taxpayer whose state-certified production has been revoked as provided in [section 5(5)] may not claim the credits allowed under [sections 8 and 9]. If the department of commerce revokes the state certification of a production company after the production company has taken a credit under [section 8 or 9], the production company shall refund the amount of any credits taken. The taxpayer is subject to the penalty and interest provisions of this chapter."

**Insert:** "NEW SECTION. **Section 11. Rules.** (1) The department of revenue shall adopt rules that are necessary to implement and administer [sections 7 through 10] and this section. The department shall, in consultation with the department of commerce, develop procedures for determining compensation paid to residents and qualified expenditures for the credits allowed under [sections 8 and 9] and for taxpayer compliance with the provisions of [section 5].

(2) The department and the department of commerce shall jointly adopt rules related to the definitions in [section 4]."

**Renumber:** subsequent sections

9. Page 13, line 18.

**Strike:** "\$34,400"

**Insert:** "\$43,400"

**Strike:** "4.8%"

**Insert:** "4.7%"

10. Page 13, line 19.

**Strike:** "\$34,400"

**Insert:** "\$43,400"

**Strike:** "6%"

**Insert:** "6.1%"

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

11. Page 13, line 21.

**Strike:** "\$25,800"

**Insert:** "\$32,550"

**Strike:** "4.8%"

**Insert:** "4.7%"

12. Page 13, line 22.

**Strike:** "\$25,800"

**Insert:** "\$32,550"

**Strike:** "6%"

**Insert:** "6.1%"

13. Page 13, line 24.

**Strike:** "\$17,200"

**Insert:** "\$21,700"

**Strike:** "4.8%"

**Insert:** "4.7%"

14. Page 13, line 25.

**Strike:** "\$17,200"

**Insert:** "\$21,700"

**Strike:** "6%"

**Insert:** "6.1%"

15. Page 13, line 28.

**Strike:** "\$17,200"

**Insert:** "\$21,700"

**Strike:** "4.8%"

**Insert:** "4.7%"

16. Page 13, line 29.

**Strike:** "\$17,200"

**Insert:** "\$21,700"

**Strike:** "6%"

**Insert:** "6.1%"

17. Page 14, line 5.

**Strike:** "4.8%" in both places

**Insert:** "4.7%" in both places

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

18. Page 14, line 6.

**Strike:** "6%"

**Insert:** "6.1%"

**Strike:** "4.8%"

**Insert:** "4.7%"

19. Page 14, line 13.

**Strike:** "4.8%"

**Insert:** "4.7%"

**Strike:** "3.3%"

**Insert:** "3.2%"

20. Page 14, line 15.

**Strike:** "4.8%"

**Insert:** "4.7%"

21. Page 14, line 17.

**Strike:** "4.8%"

**Insert:** "4.7%"

22. Page 14, line 18.

**Strike:** "4.8%"

**Insert:** "4.7%"

23. Page 14, line 20.

**Strike:** "4.8%"

**Insert:** "4.7%"

24. Page 14, line 21.

**Strike:** "3.3%"

**Insert:** "3.2%"

25. Page 14, line 23.

**Strike:** "4.5%"

**Insert:** "4.6%"

26. Page 14, line 24.

**Strike:** "6%"

**Insert:** "6.1%"

27. Page 14, line 25.

**Strike:** "4.5%"

**Insert:** "4.6%"

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

28. Page 16, line 4.

**Following:** "(2)"

**Insert:** "except as provided in subsection (3),"

29. Page 16, line 8.

**Following:** "unless"

**Insert:** ":

(a)"

**Following:** "year"

**Insert:** "; or

(b) filing of a joint Montana return is prohibited by state law"

30. Page 18.

**Following:** line 26

**Insert:** "**Section 25.** Section 15-30-2337, MCA, is amended to read:

**"15-30-2337. Residential property tax credit for elderly Homeowner and renter income tax credit for older adults -- definitions.** As used in 15-30-2337 through 15-30-2341, the following definitions apply:

(1) "Claim period" means the tax year for individuals required to file Montana individual income tax returns and the calendar year for individuals not required to file returns.

(2) "Claimant" means a person who is eligible to file a claim under 15-30-2338.

(3) "Department" means the department of revenue.

(4) "Gross household income" means all income received by all individuals of a household while they are members of the household.

(5) "Gross rent" means the total rent in cash or its equivalent actually paid during the claim period by the renter or lessee for the right of occupancy of the homestead pursuant to an arm's-length transaction with the landlord.

(6) "Homestead" means:

—— (a) a single-family dwelling or unit of a multiple-unit dwelling ~~that is subject to property taxes in Montana~~ and as much of the surrounding land, but not in excess of 1 acre, as is reasonably necessary for its use as a dwelling; or

—— (b) a single-family dwelling or unit of a multiple-unit dwelling that is rented from a county or municipal housing authority as provided in Title 7, chapter 15.

(7) (a) "Household" means an association of persons who live in the same dwelling, sharing its furnishings, facilities, accommodations, and expenses.

(b) The term does not include bona fide lessees, tenants, or roomers and boarders on contract.

(8) "Household income" means the amount obtained by subtracting \$6,300 from gross household income.

(9) (a) "Income" means, except as provided in subsection (9)(b), federal adjusted gross income, without regard to loss, as that quantity is defined in the Internal Revenue Code of the United States, plus all nontaxable income, including but not limited to:

(i) the amount of any pension or annuity, including Railroad Retirement Act benefits and veterans' disability benefits;

(ii) the amount of capital gains excluded from adjusted gross income;

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

(iii) alimony;  
(iv) support money;  
(v) nontaxable strike benefits;  
(vi) cash public assistance and relief;  
(vii) interest on federal, state, county, and municipal bonds; and  
(viii) all payments received under federal social security except social security income paid directly to a nursing home.

(b) For the purposes of this subsection (9), income is reduced by the taxpayer's basis.

(10) "Property tax billed" means taxes levied against the homestead, including special assessments and fees but excluding penalties or interest during the claim period.

(11) "Rent-equivalent tax paid" means 15% of the gross rent."

**Insert:** "Section 26. Section 15-30-2341, MCA, is amended to read:

**"15-30-2341. Residential property tax credit for elderly Homeowner and renter income tax credit for older adults -- limitations -- denial of claim.** (1) Only one claimant per household in a claim period under the provisions of 15-30-2337 through 15-30-2341 is entitled to relief.

(2) ~~Except as provided in subsection (3), a claim for relief may not be allowed for any portion of property taxes billed or rent-equivalent taxes paid that is derived from a public rent or tax subsidy program.~~

~~\_\_\_\_\_ (3) Except for dwellings rented from a county or municipal housing authority, a~~ A claim for relief ~~may not be~~ is allowed on rented lands or rented dwellings that are not subject to Montana property taxes during the claim period.

~~(4)~~ (3) A person filing a false or fraudulent claim under the provisions of 15-30-2337 through 15-30-2341 must be charged with the offense of unsworn falsification to authorities pursuant to 45-7-203. If a false or fraudulent claim has been paid, the amount paid may be recovered as any other debt owed to the state. An additional 10% may be added to the amount due as a penalty. The unpaid debt must bear interest from the date of the original payment of claim until paid, at the rate of 1% per month.""

**Renumber:** subsequent sections

31. Page 32, line 18.

**Strike:** "act"

**Insert:** "section"

32. Page 40, line 19.

**Following:** line 18

**Insert:** "Section 49. Section 17-7-502, MCA, is amended to read:

**"17-7-502. Statutory appropriations -- definition -- requisites for validity.** (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-15-247; 2-17-105; 5-11-120; 5-11-407; 5-13-403; 7-4-2502; 10-1-108; 10-1-1202; 10-1-1303; 10-2-603; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-121; 15-1-218; [section 7]; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121; 15-70-101; 15-70-369; 15-70-601; 16-11-509; 17-3-106; 17-3-112; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 18-11-112; 19-3-319; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-8-107; 20-9-534; 20-9-622; 20-26-1503; 22-1-327; 22-3-1004; 23-4-105; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 30-10-1004; 37-43-204; 37-51-501; 39-1-105; 39-71-503; 41-5-2011; 42-2-105; 44-4-1101; 44-12-206; 44-13-102; 53-1-109; 53-1-215; 53-2-208; 53-9-113; 53-24-108; 53-24-206; 60-11-115; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 76-13-150; 76-13-416; 77-1-108; 77-2-362; 80-2-222; 80-4-416; 80-11-518; 81-1-112; 81-7-106; 81-10-103; 82-11-161; 85-20-1504; 85-20-1505; 87-1-603; 90-1-115; 90-1-205; 90-1-504; 90-3-1003; 90-6-331; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates contingently when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 10, Ch. 10, Sp. L. May 2000, secs. 3 and 6, Ch. 481, L. 2003, and sec. 2, Ch. 459, L. 2009, the inclusion of 15-35-108 terminates June 30, 2019; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410 terminates contingently upon the death of the last recipient eligible under 19-6-709(2) for the supplemental benefit provided by 19-6-709; pursuant to sec. 14, Ch. 374, L. 2009, the inclusion of 53-9-113 terminates June 30, 2015; pursuant to sec. 5, Ch. 442, L. 2009, the inclusion of 90-6-331 terminates June 30, 2019; pursuant to sec. 16, Ch. 58, L. 2011, the inclusion of 30-10-1004 terminates June 30, 2017; pursuant to sec. 6, Ch. 61, L. 2011, the inclusion of 76-13-416 terminates June 30, 2019; pursuant to sec. 13, Ch. 339, L. 2011, the inclusion of 81-1-112 and 81-7-106 terminates June 30, 2017; pursuant to sec. 11(2), Ch. 17, L. 2013, the inclusion of 17-3-112 terminates on occurrence of contingency; pursuant to secs. 3 and 5, Ch. 244, L. 2013, the inclusion of 22-1-327 is effective July 1, 2015, and terminates July 1, 2017; and pursuant to sec. 10, Ch. 413, L. 2013, the inclusion of 2-15-247, 39-1-105, 53-1-215, and 53-2-208 terminates June 30, 2015.)"

**Renumber:** subsequent sections

33. Page 72, line 18 through line 25.

**Strike:** line 18 through line 25

34. Page 73, line 3.

**Strike:** "[the effective date of this act]"

**Insert:** "January 1, 2016,"

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

35. Page 75, line 9.

**Following:** "instruction."

**Insert:** "(1)"

36. Page 75, line 12.

**Following:** line 11

**Insert:** "(2) [Sections 2 through 11] are intended to be codified as an integral part of Title 15, chapter 31, and the provisions of Title 15, chapter 31, apply to [sections 2 through 11]."

**Insert:** "COORDINATION SECTION. Section 72. Coordination instruction. If House Bill No. 341, House Bill No. 359, Senate Bill No. 399, and [this act] are passed and approved and if [this act] contains a section that repeals 15-30-2110, then the sections in House Bill No. 341, House Bill No. 359, and Senate Bill No. 399, that amend 15-30-2110 are void, and [section 1 of this act] must be amended as follows:

"NEW SECTION. Section 1. Adjustments to federal taxable income to determine Montana taxable income. (1) The items in subsection (2) are added to and the items in subsection (3) are subtracted from federal taxable income to determine Montana taxable income.

(2) The following are added to federal taxable income:

(a) to the extent that it is not exempt from taxation by Montana under federal law, interest from obligations of a territory or another state or any political subdivision of a territory or another state and exempt-interest dividends attributable to that interest except to the extent already included in federal taxable income;

(b) a withdrawal from a medical care savings account provided for in Title 15, chapter 61, used for a purpose other than an eligible medical expense or long-term care of the employee or account holder or a dependent of the employee or account holder;

(c) a nonqualified withdrawal from a family education savings account provided for in Title 15, chapter 62, to the extent that it was deducted from income in calculating Montana individual income taxes;

(d) a withdrawal from a first-time home buyer savings account provided for in Title 15, chapter 63, used for a purpose other than for eligible costs for the purchase of a single-family residence;

(e) an item of income, deduction, or expense to the extent that it was used to calculate federal taxable income if the item was also used to calculate a credit against a Montana income tax liability;

(f) a deduction or expense upon which a state tax credit is computed under 33-22-2006 to the extent that it was included as a deduction or expense in determining federal taxable income;

(g) a deduction for an income distribution from an estate or trust to a beneficiary that was included in the federal taxable income of an estate or trust in accordance with sections 651 and 661 of the Internal Revenue Code, 26 U.S.C. 651 and 661; and

(h) for a taxpayer that deducts state income taxes pursuant to section 164(a)(3) of the Internal Revenue Code, 26 U.S.C. 164(a)(3), an additional amount equal to the state income tax deduction claimed, not to exceed the amount required to reduce the federal itemized amount computed under section 161 of the Internal Revenue Code, 26 U.S.C. 161, to the amount of the federal standard deduction allowable under section 63(c) of the Internal Revenue Code, 26 U.S.C. 63(c).

(3) To the extent they are included as income or gain or not already excluded as a



HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

deduction or expense in determining federal taxable income, the following are subtracted from federal taxable income:

- (a) if exempt from taxation by Montana under federal law:
- (i) interest from obligations of the United States government and exempt-interest dividends attributable to that interest; and
- (ii) railroad retirement benefits;
- (b) salary received from the armed forces by residents who entered into active duty from Montana and are serving on active duty in the regular armed forces;
- (c) interest and other income related to contributions that were made prior to January 1, 2016, that are retained in a medical care savings account provided for in Title 15, chapter 61, and any withdrawal for payment of eligible medical expenses or for the long-term care of the employee or account holder or a dependent of the employee or account holder;
- (d) interest and other income related to contributions that were made prior to January 1, 2016, that are retained in a family education savings account provided for in Title 15, chapter 62, and any qualified withdrawal for payment of qualified higher education expenses;
- (e) interest and other income related to contributions that were made prior to January 1, 2016, that are retained in a first-time home buyer savings account provided for in Title 15, chapter 63, and any withdrawal for payment of eligible costs for the first-time purchase of a single-family residence;
- (f) a deduction for an income distribution from an estate or trust to a beneficiary in accordance with sections 651 and 661 of the Internal Revenue Code, 26 U.S.C. 651 and 661, recalculated according to the additions and subtractions in subsections (2) and (3)(a) through (3)(e) and (3)(g) through (3)(j); and
- (g) for each taxpayer that has attained the age of 65, an additional subtraction of \$6,400;
- (h) the amount of any refund or credit for overpayment of income taxes imposed by this state or any other taxing jurisdiction to the extent included in gross income for federal income tax purposes but not previously allowed as a deduction for Montana income tax purposes;
- (i) student loan repayments made on behalf of the taxpayer pursuant to [section 3 or 4 of House Bill No. 341]; and
- (j) a reduction for contributions to one or more accounts established under the Montana achieving a better life experience program or to a qualified program established and maintained by another state as provided by section 529A(e)(7) of the Internal Revenue Code, 26 U.S.C. 529A(e)(7). The reduction must be the lesser of \$3,000 or the amount of the contribution. In the case of married taxpayers, each spouse is entitled to a reduction, not to exceed \$3,000, for the spouses' contributions to the accounts. Spouses may jointly elect to treat one-half of the total contributions made by the spouses as being made by each spouse. The reduction in federal taxable income under this subsection (3)(j) applies only with respect to contributions to an account for which the account owner is the taxpayer, the taxpayer's spouse, or the taxpayer's child or stepchild if the taxpayer's child or stepchild is a Montana resident.

(4) By November 1 of each year, the department shall multiply the subtraction from federal taxable income for a taxpayer that has attained the age of 65 contained in subsection (3)(g) by the inflation factor for ~~that~~ the following tax year, rounding the result to the nearest \$10. The resulting amount is effective for that following tax year and must be used as the basis for the subtraction from federal taxable income determined under subsection (3)(g)."

**Insert:** "COORDINATION SECTION. Section 73. Coordination instruction. If both House Bill No. 359 and [this act] are passed and approved and if both contain a section that

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

amends 15-30-2101, then the sections amending 15-30-2101 are void and 15-30-2101 must be amended as follows:

**"15-30-2101. Definitions.** For the purpose of this chapter, unless otherwise required by the context, the following definitions apply:

~~(1) "Base year structure" means the following elements of the income tax structure:~~  
~~—— (a) the tax brackets established in 15-30-2103, but unadjusted by 15-30-2103(2), in effect on June 30 of the taxable year;~~

~~—— (b) the exemptions contained in 15-30-2114, but unadjusted by 15-30-2114(6), in effect on June 30 of the taxable year;~~

~~—— (c) the maximum standard deduction provided in 15-30-2132, but unadjusted by 15-30-2132(2), in effect on June 30 of the taxable year.~~

~~(2)~~(1) "Consumer price index" means the consumer price index, United States city average, for all items, for all urban consumers (CPI-U), using the 1982-84 base of 100, as published by the bureau of labor statistics of the U.S. department of labor.

~~(3)~~(2) "Corporation" or "C. corporation" means a corporation, limited liability company, or other entity:

(a) that is treated as an association for federal income tax purposes;

(b) for which a valid election under section 1362 of the Internal Revenue Code (26 U.S.C. 1362) is not in effect; and

(c) that is not a disregarded entity.

~~(4)~~(3) "Department" means the department of revenue.

~~(5)~~(4) "Disregarded entity" means a business entity:

(a) that is disregarded as an entity separate from its owner for federal tax purposes, as provided in United States treasury regulations 301.7701-2 or 301.7701-3, 26 CFR 301.7701-2 or 26 CFR 301.7701-3, or as those regulations may be labeled or amended; or

(b) that is a qualified subchapter S. subsidiary that is not treated as a separate corporation, as provided in section 1361(b)(3) of the Internal Revenue Code, ~~26 U.S.C. 1361(b)(3)}~~.

~~(6)~~(5) "Dividend" means:

(a) any distribution made by a C. corporation out of its earnings and profits to its shareholders or members, whether in cash or in other property or in stock of the corporation, other than stock dividends; and

(b) any distribution made by an S. corporation treated as a dividend for federal income tax purposes.

(6) "Federal adjusted gross income" means adjusted gross income as defined in section 62 of the Internal Revenue Code, 26 U.S.C. 62.

(7) "Federal taxable income", when referring to an individual, means taxable income as defined and described in section 63 of the Internal Revenue Code, 26 U.S.C. 63, and, when referring to a trust or estate, means taxable income as defined and described in sections 641 through 692 of the Internal Revenue Code, 26 U.S.C. 641 through 692.

~~(7)~~(8) "Fiduciary" means a guardian, trustee, executor, administrator, receiver, conservator, or any person, whether individual or corporate, acting in any fiduciary capacity for any person, trust, or estate.

~~(8)~~(9) "Foreign C. corporation" means a corporation that is not engaged in or doing business in Montana, as provided in 15-31-101.

~~(9)~~(10) "Foreign government" means any jurisdiction other than the one embraced within the United States, its territories, and its possessions.

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

~~(10)~~ "Gross income" means the taxpayer's gross income for federal income tax purposes as defined in section 61 of the Internal Revenue Code (26 U.S.C. 61) or as that section may be labeled or amended, excluding unemployment compensation included in federal gross income under the provisions of section 85 of the Internal Revenue Code (26 U.S.C. 85) as amended.

~~(11)~~ "Head of household" means a head of household as defined and described in section 2(b) of the Internal Revenue Code, 26 U.S.C. 2(b).

~~(11)~~(12) "Inflation factor" means a number determined for each tax year by dividing the consumer price index for June of the previous tax year by the consumer price index for June 2005 2015.

~~(12)~~(13) "Information agents" includes all individuals and entities acting in whatever capacity, including lessees or mortgagors of real or personal property, fiduciaries, brokers, real estate brokers, employers, and all officers and employees of the state or of any municipal corporation or political subdivision of the state, having the control, receipt, custody, disposal, or payment of interest, rent, salaries, wages, premiums, annuities, compensations, remunerations, emoluments, or other fixed or determinable annual or periodical gains, profits, and income with respect to which any person or fiduciary is taxable under this chapter.

~~(13)~~(14) "Internal Revenue Code" means the Internal Revenue Code of 1986, as amended, or as it may be labeled or further amended. References to specific provisions of the Internal Revenue Code mean those provisions as they may be otherwise labeled or further amended.

~~(14)~~ "Joint return" means one return made jointly by a married individual with that individual's spouse.

~~(14)~~(16) "Knowingly" is as defined in 45-2-101.

~~(15)~~(17) "Limited liability company" means a limited liability company, domestic limited liability company, or a foreign limited liability company as defined in 35-8-102.

~~(16)~~(18) "Limited liability partnership" means a limited liability partnership as defined in 35-10-102.

~~(17)~~(19) "Lottery winnings" means income paid either in lump sum or in periodic payments to:

(a) a resident taxpayer on a lottery ticket; or

(b) a nonresident taxpayer on a lottery ticket purchased in Montana.

~~(20)~~ "Married individual" means a married individual as defined and described in section 7703 of the Internal Revenue Code, 26 U.S.C. 7703.

~~(18)~~(21) (a) "Montana source income" means:

(i) wages, salary, tips, and other compensation for services performed in the state or while a resident of the state;

(ii) gain attributable to the sale or other transfer of tangible property located in the state, sold or otherwise transferred while a resident of the state, or used or held in connection with a trade, business, or occupation carried on in the state;

(iii) gain attributable to the sale or other transfer of intangible property received or accrued while a resident of the state;

(iv) interest received or accrued while a resident of the state or from an installment sale of real property or tangible commercial or business personal property located in the state;

(v) dividends received or accrued while a resident of the state;

(vi) net income or loss derived from a trade, business, profession, or occupation carried on in the state or while a resident of the state;

(vii) net income or loss derived from farming activities carried on in the state or while a

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

resident of the state;

(viii) net rents from real property and tangible personal property located in the state or received or accrued while a resident of the state;

(ix) net royalties from real property and from tangible real property to the extent the property is used in the state or the net royalties are received or accrued while a resident of the state. The extent of use in the state is determined by multiplying the royalties by a fraction, the numerator of which is the number of days of physical location of the property in the state during the royalty period in the tax year and the denominator of which is the number of days of physical location of the property everywhere during all royalty periods in the tax year. If the physical location is unknown or unascertainable by the taxpayer, the property is considered used in the state in which it was located at the time the person paying the royalty obtained possession.

(x) patent royalties to the extent the person paying them employs the patent in production, fabrication, manufacturing, or other processing in the state, a patented product is produced in the state, or the royalties are received or accrued while a resident of the state;

(xi) net copyright royalties to the extent printing or other publication originates in the state or the royalties are received or accrued while a resident of the state;

(xii) partnership income, gain, loss, deduction, or credit or item of income, gain, loss, deduction, or credit:

(A) derived from a trade, business, occupation, or profession carried on in the state;

(B) derived from the sale or other transfer or the rental, lease, or other commercial exploitation of property located in the state; or

(C) taken into account while a resident of the state;

(xiii) an S. corporation's separately and nonseparately stated income, gain, loss, deduction, or credit or item of income, gain, loss, deduction, or credit:

(A) derived from a trade, business, occupation, or profession carried on in the state;

(B) derived from the sale or other transfer or the rental, lease, or other commercial exploitation of property located in the state; or

(C) taken into account while a resident of the state;

(xiv) social security benefits received or accrued while a resident of the state;

(xv) taxable individual retirement account distributions, annuities, pensions, and other retirement benefits received while a resident of the state;

(xvi) any other income attributable to the state, including but not limited to lottery winnings, state and federal tax refunds, nonemployee compensation, recapture of tax benefits, and capital loss addbacks; and

(xvii) in the case of a nonresident who sells the nonresident's interest in a publicly traded partnership doing business in Montana, the gain described in section 751 of the Internal Revenue Code, 26 U.S.C. 751, multiplied by the Montana apportionment factor. If the net gain or loss resulting from the use of the apportionment factor as provided in this subsection ~~(18)(a)(xvii)~~ (21)(a)(xvii) does not fairly and equitably represent the nonresident taxpayer's business activity interest, then the nonresident taxpayer may petition for, or the department may require with respect to any and all of the partnership interest, the employment of another method to effectuate an equitable allocation or apportionment of the nonresident's income. This subsection ~~(18)(a)(xvii)~~ (21)(a)(xvii) is intended to preserve the rights and privileges of a nonresident taxpayer and align those rights with taxpayers who are afforded the same rights under 15-1-601 and 15-31-312.

(b) The term does not include:

(i) compensation for military service of members of the armed services of the United States

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

who are not Montana residents and who are residing in Montana solely by reason of compliance with military orders and does not include income derived from their personal property located in the state except with respect to personal property used in or arising from a trade or business carried on in Montana; or

(ii) interest paid on loans held by out-of-state financial institutions recognized as such in the state of their domicile, secured by mortgages, trust indentures, or other security interests on real or personal property located in the state, if the loan is originated by a lender doing business in Montana and assigned out-of-state and there is no activity conducted by the out-of-state lender in Montana except periodic inspection of the security.

(22) "Montana taxable income" means federal taxable income as determined for federal income tax purposes and adjusted as provided in [section 1 of Senate Bill No. 171].

~~(19) "Net income" means the adjusted gross income of a taxpayer less the deductions allowed by this chapter.~~

~~(20)(23) "Nonresident" means a natural person who is not a resident.~~

~~(24)(24) "Paid", for the purposes of the deductions and credits under this chapter, means paid or accrued or paid or incurred, and the terms "paid or accrued" and "paid or incurred" must be construed according to the method of accounting upon the basis of which the used to compute federal taxable income is computed under this chapter.~~

(22)(25) "Partner" means a member of a partnership or a manager or member of any other entity, if treated as a partner for federal income tax purposes.

~~(23)(26) "Partnership" means a general or limited partnership, limited liability partnership, limited liability company, or other entity, if treated as a partnership for federal income tax purposes.~~

~~(24)(27) "Pass-through entity" means a partnership, an S. corporation, or a disregarded entity.~~

~~(25)(28) "Pension and annuity income" means:~~

~~(a) systematic payments of a definitely determinable amount from a qualified pension plan, as that term is used in section 401 of the Internal Revenue Code, {26 U.S.C. 401}, or systematic payments received as the result of contributions made to a qualified pension plan that are paid to the recipient or recipient's beneficiary upon the cessation of employment;~~

~~(b) payments received as the result of past service and cessation of employment in the uniformed services of the United States;~~

~~(c) lump-sum distributions from pension or profit-sharing plans to the extent that the distributions are included in federal adjusted gross income;~~

~~(d) distributions from individual retirement, deferred compensation, and self-employed retirement plans recognized under sections 401 through 408 of the Internal Revenue Code (26 U.S.C. 401 through 408) to the extent that the distributions are not considered to be premature distributions for federal income tax purposes; or~~

~~(e) amounts received from fully matured, privately purchased annuity contracts after cessation of regular employment.~~

~~(26)(29) "Purposely" is as defined in 45-2-101.~~

~~(27)(30) "Received", for the purpose of computation of taxable income under this chapter, means received or accrued, and the term "received or accrued" must be construed according to the method of accounting upon the basis of which the used to compute federal taxable income is computed under this chapter.~~

(28)(31) "Resident" applies only to natural persons and includes, for the purpose of determining liability to the tax imposed by this chapter with reference to the income of any taxable

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

year, any person domiciled in the state of Montana and any other person who maintains a permanent place of abode within the state even though temporarily absent from the state and who has not established a residence elsewhere.

~~(29)~~(32) "S. corporation" means an incorporated entity for which a valid election under section 1362 of the Internal Revenue Code (26 U.S.C. 1362) is in effect.

~~(30)~~(33) "Stock dividends" means new stock issued, for surplus or profits capitalized, to shareholders in proportion to their previous holdings.

(34) "Surviving spouse" means a surviving spouse as defined and described in section 2(a) of the Internal Revenue Code, 26 U.S.C. 2(a).

~~(31)~~(35) "Tax year" means the taxpayer's taxable year for federal income tax purposes.

~~(32)~~ "Taxable income" means the adjusted gross income of a taxpayer less the deductions and exemptions provided for in this chapter.

~~(33)~~(36) "Taxpayer" includes any person, entity, or fiduciary, resident or nonresident, subject to a tax or other obligation imposed by this chapter and unless otherwise specifically provided does not include a C. corporation."

**Insert:** "COORDINATION SECTION. Section 74. Coordination instruction. If both House Bill No. 359 and [this act] are passed and approved and if both contain a section that amends 15-30-2103, then the sections amending 15-30-2103 are void and 15-30-2103 must be amended as follows:

**"15-30-2103. Rate of tax.** (1) ~~There~~ Except as provided in subsection (2), there must be levied, collected, and paid for each tax year upon the Montana taxable income of each taxpayer subject to this tax, ~~after making allowance for exemptions and deductions as provided in this chapter,~~ a tax on the brackets of taxable income as follows:

- ~~(a) on the first \$2,300 of taxable income or any part of that income, 1%;~~
- ~~(b) on the next \$1,800 of taxable income or any part of that income, 2%;~~
- ~~(c) on the next \$2,100 of taxable income or any part of that income, 3%;~~
- ~~(d) on the next \$2,200 of taxable income or any part of that income, 4%;~~
- ~~(e) on the next \$2,400 of taxable income or any part of that income, 5%;~~
- ~~(f) on the next \$3,100 of taxable income or any part of that income, 6%;~~
- ~~(g) on any taxable income in excess of \$13,900 or any part of that income, 6.9%.~~
- (a) for every married individual who files a joint return and for every surviving spouse:
  - (i) on the first \$43,400 of Montana taxable income or any part of that income, 4.7%;
  - (ii) on any Montana taxable income in excess of \$43,400 or any part of that income, 6.1%;
- (b) for every head of household:
  - (i) on the first \$32,550 of Montana taxable income or any part of that income, 4.7%;
  - (ii) on any Montana taxable income in excess of \$32,550 or any part of that income, 6.1%;
  - (c) for every individual other than a surviving spouse or head of household who is not a married individual:
    - (i) on the first \$21,700 of Montana taxable income or any part of that income, 4.7%;
    - (ii) on any Montana taxable income in excess of \$21,700 or any part of that income, 6.1%;
  - (d) for every married individual who does not make a joint return and for every estate or trust not exempt from taxation under the Internal Revenue Code:
    - (i) on the first \$21,700 of Montana taxable income or any part of that income, 4.7%;
    - (ii) on any Montana taxable income in excess of \$21,700 or any part of that income, 6.1%.
- (2) The tax rates in subsection (1) are reduced by 1.5% for a taxpayer's net capital gain

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

income, as shown on the taxpayer's individual income tax return filed pursuant to 15-30-2602.

(3) In applying the rates in effect under subsection (1) and the rate reduction for net capital gain income under subsection (2), Montana taxable income is divided into an ordinary income category and a net capital gain category. The rate of tax applied toward each category is calculated as follows:

(a) Ordinary income is taxed first by applying the 4.7% rate up to the limit of the 4.7% rate bracket determined under subsection (1) and at the 6.1% rate to the extent that ordinary income exceeds the 4.7% rate bracket.

(b) Net capital gain income is taxed after applying the rates in subsection (1) to all ordinary income as provided in subsection (3)(a), and the total amount of ordinary income subject to tax in subsection (3)(a) is the starting point for determining the rates that are applied toward net capital gain income. The rate of tax applied toward net capital gain income is calculated as follows:

(i) If the total amount of Montana taxable income is less than or equal to the amount of income subject to tax at the 4.7% rate bracket determined under subsection (1), then net capital gain income is taxed at a 3.2% rate.

(ii) If the total amount of ordinary income is less than the amount of income subject to tax at the 4.7% rate bracket determined under subsection (1) and the total amount of Montana taxable income exceeds the amount of income subject to tax at the 4.7% rate bracket determined under subsection (1), then all ordinary income is subject to tax at the 4.7% rate bracket and net capital gain income is taxed as follows:

(A) The ordinary income subject to tax in this subsection (3)(b)(ii) is subtracted from the amount of income subject to tax at the 4.7% rate bracket under subsection (1), and the difference from this calculation equals the amount of net capital gain income taxed at a 3.2% rate.

(B) All remaining net capital gain income that remains after applying the tax rates to the ordinary income and net capital gain income in subsection (3)(b)(ii)(A) is taxed at a 4.6% rate.

(iii) If ordinary income equals or exceeds the amount of income subject to tax at the 6.1% rate bracket under subsection (1), then all net capital gain income is taxed at a 4.+% rate.

(2)(4) (a) By November 1 of each year, the department shall multiply the bracket amount amounts contained in subsection (1) by the inflation factor for that the following tax year and round the cumulative brackets to the nearest:

(i) \$100 for the joint bracket under subsection (1)(a);

(ii) \$25 for the head of household bracket under subsection (1)(b); and

(iii) \$50 for the separate return brackets under subsections (1)(c) and (1)(d).

(b) The resulting adjusted brackets are effective for that following tax year and must be used as the basis for imposition of the tax in subsection (1) of this section.

(5) For the purposes of this section, the term "ordinary income" means Montana taxable income less net capital gain income."

**Insert:** "COORDINATION SECTION. Section 75. Coordination instruction. If both House Bill No. 359 and [this act] are passed and approved and if both contain a section that amends 15-30-2602, then the section amending 15-30-2602 in House Bill No. 359 is void."

**Insert:** "COORDINATION SECTION. Section 76. Coordination instruction. If both Senate Bill No. 399 and [this act] are passed and approved, then [section 11 of Senate Bill No. 399] must be amended as follows:

"NEW SECTION. Section 11. Deductions for contributions. An individual who contributes to one or more accounts in a tax year is entitled to reduce the individual's adjusted

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

~~gross~~ federal taxable income, in accordance with ~~15-30-2110(12)~~ [section 1 of Senate Bill No. 171], by the total amount of the contributions, but not more than \$3,000. The contribution must be made to an account owned by the contributor, the contributor's spouse, or the contributor's child or stepchild if the contributor's child or stepchild is a Montana resident."

**Insert:** "COORDINATION SECTION. **Section 77. Coordination instruction.** If both Senate Bill No. 399 and [this act] are passed and approved, then [section 12 of Senate Bill No. 399] must be amended as follows:

"NEW SECTION. **Section 12. Tax on certain withdrawals of deductible contributions.**

(1) There is a recapture tax at a rate equal to the highest rate of tax provided in 15-30-2103 on the recapturable withdrawal of amounts that reduced ~~adjusted gross~~ federal taxable income under ~~15-30-2110(12)~~ [section 1 of Senate Bill No. 171].

(2) For purposes of determining the portion of a recapturable withdrawal that reduced adjusted gross income, all withdrawals must be allocated between income and contributions in accordance with the principles applicable under section 529A(c)(3) of the Internal Revenue Code, 26 U.S.C. 529A(c)(3). The portion of a recapturable withdrawal that is allocated to contributions must be treated as derived first from contributions, if any, that did not reduce adjusted gross income, to the extent of those contributions, and then to contributions that reduced adjusted gross income. The portion of any other withdrawal that is allocated to contributions must be treated as first derived from contributions that reduced adjusted gross income, to the extent of those contributions, and then to contributions that did not reduce adjusted gross income.

(3) (a) The recapture tax imposed by this section is payable by the owner of the account from which the withdrawal or contribution was made. The tax liability must be reported on the income tax return of the account owner and is payable with the income tax payment for the year of the withdrawal or at the time that an income tax payment would be due for the year of the withdrawal. The account owner is liable for the tax even if the account owner is not a Montana resident at the time of the withdrawal.

(b) The department of revenue may require withholding on recapturable withdrawals from an account that was at one time owned by a Montana resident if the account owner is not a Montana resident at the time of the withdrawal. For the purposes of this subsection (3)(b), amounts rolled over from an account that was at one time owned by a Montana resident must be treated as if the account is owned by a resident of Montana.

(4) For the purposes of this section, all contributions made to accounts by residents of Montana are presumed to have reduced the contributor's adjusted gross income unless the contributor can demonstrate that all or a portion of the contributions did not reduce adjusted gross income. Contributors who claim deductions for contributions shall report on their Montana income tax returns the amount of deductible contributions made to accounts for each designated beneficiary and the social security number of each designated beneficiary.

(5) The department of revenue shall use all means available for the administration and enforcement of income tax laws in the administration and enforcement of this section.

(6) As used in this section, "recapturable withdrawal" means a withdrawal or distribution that is a nonqualified withdrawal."

**Insert:** "NEW SECTION. **Section 78. Instructions to code commissioner -- coordination with repealed code sections.** The code commissioner shall:

(1) strike subsection or code section references in [section 1 of House Bill No. 154] when the subsection or code section references relate to tax credits that are repealed on or before



HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

January 1, 2016, in [this act]; and

(2) make any corresponding changes in [House Bill No. 154] to reflect the renumbering. "

**Renumber:** subsequent sections

37. Page 75, line 17.

**Following:** "date."

**Strike:** "[This]"

**Insert:** "(1) Except as provided in subsection (2), [this]"

38. Page 75, line 18.

**Following:** line 18

**Insert:** "(2) [Sections 2 through 11, 25, 26, 49, 71, and 79 through 81] are effective on passage and approval."

39. Page 75, line 19.

**Following:** "Applicability"

**Insert:** "-- retroactive applicability"

**Strike:** "[This]"

**Insert:** "(1) Except as provided in subsection (2), [this]"

40. Page 75.

**Following:** line 20

**Insert:** "(2) [Sections 2 through 11, 25, 26, and 49] apply retroactively, within the meaning of 1-2-109, to tax years beginning after December 31, 2014."

And, as amended, be concurred in. Report adopted.

**REPORTS OF SELECT COMMITTEES**

CONFERENCE COMMITTEE  
on Senate Amendments to **House Bill 118**  
Report No. 001, April 14, 2015

Madam President and Mr. Speaker:

We, your Conference Committee met and considered Senate amendments to **House Bill 118** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that Senate amendments to **House Bill 118** (reference copy -- salmon) be accepted by the House.

For the Senate:

Buttrey, Chair

D. Brown

Facey

For the House:

B. Bennett, Vice Chair

Berry

Lang

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

CONFERENCE COMMITTEE  
on Senate Amendments to **House Bill 226**  
Report No. 001, April 14, 2015

Madam President and Mr. Speaker:

We, your Conference Committee met and considered Senate amendments to **House Bill 226** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 226** (reference copy -- salmon) be amended as follows:

1. Page 2, line 25.

**Strike:** "\$650,000"

**Insert:** "\$1 million"

2. Page 2, line 26.

**Strike:** "\$650,000"

**Insert:** "\$1 million"

3. Page 2, line 27.

**Following:** "~~\$2 million~~"

**Strike:** "\$650,000"

**Insert:** "\$1 million"

4. Page 3, line 25.

**Strike:** "\$650,000"

**Insert:** "\$1 million"

5. Page 3, line 26.

**Strike:** "\$650,000"

**Insert:** "\$1 million"

6. Page 3, line 27.

**Following:** "~~\$2 million~~"

**Strike:** "\$650,000"

**Insert:** "\$1 million"

For the Senate:

Vincent, Chair

Kaufmann

For the House:

Richmond, Vice Chair

Steenberg

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

CONFERENCE COMMITTEE  
on House Amendments to **Senate Bill 138**  
Report No. 001, April 14, 2015

Madam President and Mr. Speaker:

We, your Conference Committee met and considered House amendments to **Senate Bill 138** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **Senate Bill 138** (reference copy -- salmon) be amended as follows:

1. Page 2, line 6.

**Strike:** "WHO ACTS REASONABLY" through "WITH THIS SECTION"

2. Page 3, line 25 through line 26.

**Strike:** "THAT ACTS REASONABLY" on line 25 through "SECTION" on line 26

3. Page 4, line 6.

**Strike:** "WHO ACTS REASONABLY" through "WITH THIS SECTION"

For the Senate:

Hoven, Chair

Larsen

Webb

For the House:

Berry, Vice Chair

Fitzpatrick

**FREE CONFERENCE COMMITTEE**  
on **Senate Bill 385**  
Report No. 001, April 15, 2015

Madam President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 385** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 385** (reference copy -- salmon) be amended as follows:

1. Page 1, line 30.

**Strike:** "oral or"

2. Page 2, line 27 through line 30.

**Strike:** "1" on line 27 through "emancipated" on line 30

3. Page 3, line 1.

**Following:** "with the"

**Insert:** "written"

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

4. Page 4, line 26 through line 29.

**Strike:** ", including a" on page 26 through "emancipated" on line 29

5. Page 4, line 30.

**Following:** "with the"

**Insert:** "written"

For the Senate:

Webb, Chair

Kary

Larsen

For the House:

Fiscus, Vice Chair

Lavin

B. Smith

**MESSAGES FROM THE SENATE**

**House bills** concurred in and returned to the House:

4/14/2015

**HB 337**, introduced by Karjala

**HB 434**, introduced by Lieser

**HB 525**, introduced by Noland

**Senate joint resolution** passed and transmitted to the House for concurrence:

4/14/2015

**SJR 24**, introduced by Sands

**SB 261** - The Senate dissolved the Conference Committee on House amendments to **SB 261**, and authorized the President to appoint the following Free Conference Committee to confer on House amendments to **SB 261**:

4/14/2015

Senator Hamlett, Chair

Senator F. Moore

Senator Vincent

**FIRST READING AND COMMITMENT OF BILLS**

The following House joint resolution was introduced, read first time, and referred to committee:

**HJR 31**, introduced by Z. Brown, referred to Human Services.

The following Senate joint resolution was introduced, read first time, and referred to committee:

**SJR 24**, introduced by D. Sands, K. Dudik, referred to Judiciary.

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Randall in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**SB 252** - Majority Leader Regier moved consideration of **SB 252** be passed for the day. Motion carried.

**HB 2 - Senate Amendments** - Representative Ballance moved Senate amendments to **HB 2** be **not** concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.  
Total 88

Nays: B. Brown, Essmann, Harris, Lamm, Miller, Monforton, Moore, Schwaderer, Wagoner, White, Wittich, Zolnikov.  
Total 12

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 262** - Minority Leader Hunter moved consideration of **SB 262** be placed at the top of the second reading board. Motion carried.

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fitzpatrick, Funk, Hayman, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Richmond, Salomon, Schreiner, Shaw,

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods,  
Mr. Speaker.  
Total 63

Nays: Brodehl, B. Brown, Cuffe, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom,  
Harris, Hess, Holmlund, Jones, Lamm, Lang, Lavin, Manzella, McKamey, Meyers, Miller,  
Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Redfield, Regier, Ricci,  
Schwaderer, Tschida, Wagoner, White, Wittich, Zolnikov.  
Total 37

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 262** - Representative Fitzpatrick moved **SB 262** be concurred in.

**SB 262** - Representative Essmann moved **SB 262**, second reading copy, be amended as follows:

1. Page 46, line 24.  
**Strike:** "or the State"

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann,  
Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm,  
Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen,  
Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer,  
Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 48

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck,  
Ellis, Fitzpatrick, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III,  
Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan,  
Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon,  
Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson,  
Woods.  
Total 52

Excused: None.  
Total 0

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

Absent or not voting: None.

Total 0

**SB 262** - Representative Lavin moved **SB 262**, second reading copy, be amended as follows:

1. Page 12, line 29.

**Strike:** "with the"

**Insert:** "to the historic average level of the 20 years preceding the Effective Date"

2. Page 12, line 29 through line 30.

**Strike:** "filling" on line 29 through "Appendix 7" on line 30

**Insert:** ", unless otherwise provided for by Federal Energy Regulatory Commission licensing requirements"

3. Page 14, line 20 through line 21.

**Strike:** "an elevation" on line 20 through "Appendix 18" on line 21

**Insert:** "the historic average level of the 20 years preceding the Effective Date, unless otherwise provided for by Federal Energy Regulatory Commission licensing requirements"

4. Page 14, line 22.

**Following:** "immemorial."

**Insert:** "The Tribes may not assess a fee, charge, or levy of any kind upon owners of lakeshore property for the purposes of maintaining Flathead Lake levels."

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 46

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 54

Excused: None.

Total 0

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

Absent or not voting: None.

Total 0

**SB 262** - Representative Flynn moved **SB 262**, second reading copy, be amended as follows:

1. Page 17, line 7.

**Strike:** "only"

2. Page 17.

**Strike:** "whose" on line 7 through "minute" on line 11

3. Page 17, line 26.

**Strike:** "only"

4. Page 17.

**Strike:** "the purpose" on line 26 through "minute" on line 29

5. Page 18, line 14.

**Strike:** "only"

6. Page 18.

**Strike:** "whose" on line 14 through "minute" on line 17

7. Page 22, line 5.

**Strike:** "only"

8. Page 22.

**Strike:** "the purpose" on line 5 through "minute" on line 7

9. Page 23, line 8.

**Strike:** "agree to relinquish their right to"

**Insert:** "may"

10. Page 23, line 13.

**Strike:** "agree to relinquish their right to"

**Insert:** "may"

11. Page 23.

**Strike:** "and whose" on line 14 through "minute" on line 15

12. Page 23, line 17.

**Strike:** ", agree to relinquish their right to"

**Insert:** "may"



HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

13. Page 25, line 20.

**Strike:** "agree to relinquish their right to"

**Insert:** "may"

14. Page 25.

**Strike:** ", except" on line 21 through "Law" on line 22

15. Page 25, line 23 through page 26, line 3.

**Strike:** subsections (a), (i), (ii), (iii), (iv), (b), and (c) in their entirety

16. Page 26, line 6.

**Strike:** "agree to relinquish their right to"

**Insert:** "may"

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 47

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 53

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 262** - Representative Monforton moved **SB 262**, second reading copy, be amended as follows:

1. Page 5, line 24 through line 26.

**Following:** "State" on line 24

**Strike:** "or Tribal"

**Following:** "court" on line 24

**Strike:** "that otherwise" on line 24 through "a Federal court" on line 26

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 47

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 53

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 262** - Representative G. Bennett moved **SB 262**, second reading copy, be amended as follows:

1. Page 140, line 1.

**Insert:** "NEW SECTION. Section 14. Contingent voidness. If House Bill No. 2 does not include \$55 million for the state contribution to settlement as provided in [this act], then [this act] is void."

**Renumber:** subsequent sections

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 47

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond,

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 53

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 262** - Representative Regier moved **SB 262**, second reading copy, be amended as follows:

1. Page 13.

**Following:** line 12

**Insert:** "xii. Use of the 90,000 Acre-feet per year of storage water from Hungry Horse Reservoir may not materially and adversely impact the historic operations of Hungry Horse Dam in conformance with applicable Federal Energy Regulatory Commission licensing requirements."

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 47

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 53

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

**SB 262** - Representative Regier moved **SB 262**, second reading copy, be amended as follows:

1. Page 6, line 18.

**Following:** "that is"

**Insert:** "claimed and"

2. Page 6, line 21.

**Following:** "Article IV.D.2."

**Insert:** "The Flathead Joint Board of Control, the operating agent of the Flathead, Mission, and Jocko Valley Irrigation Districts, owns claims on this water right that are filed in the Montana water adjudication for water delivered by the FIIP to fee lands. These claims under 85-2-227, MCA, are prima facie proof of their content until the issuance of a final decree. These and any other claims to this water right, including but not limited to those of the United States or the Tribes, shall be adjudicated de novo by the Montana Water Court. All aspects of the right to water delivered by the FIIP, including but not limited to ownership, terms of ownership, priority date, volume, places of diversion, and other relevant factors and characteristics, must be determined by the Montana Water Court as part of the Montana general stream adjudication."

3. Page 9, line 23.

**Strike:** "Article III.C.1.a"

**Insert:** "Article III.C.1.b"

4. Page 9, line 26.

**Following:** "Tribes."

**Insert:** "The Tribal Water Right does not include the FIIP Water Use Right or any claim of a water right of whatever nature, on or off reservation, to water controlled by the FIIP, including but not limited to irrigation water deliveries and instream flows."

5. Page 10, line 26.

**Following:** "The Tribes"

**Insert:** "do not"

6. Page 10, line 29.

**Strike:** "Tribal Water"

**Insert:** "FIIP Water Use"

7. Page 11, line 2.

**Strike:** "portion" through "1855"

**Insert:** "FIIP Water Use Right must be determined by the Montana Water Court as part of the Montana general stream adjudication"

8. Page 28, line 24.

**Strike:** "III.C.1.a, b"

**Insert:** "III.C.1.b"

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

9. Page 34, line 19.

**Strike:** "Certain Portions of"

**Strike:** "Related to"

**Insert:** "and"

**Following:** "FIIP"

**Insert:** "Water Use Right"

10. Page 34, line 20.

**Strike:** "Priority" through "Use Rights."

11. Page 34, line 21.

**Strike:** "the following" through "apply"

**Insert:** "the water court decree shall determine the priority among the following water rights"

12. Page 36, line 27.

**Strike:** "Entitlement Statement"

13. Page 36, line 28 through page 37, line 3.

**Strike:** "if the FIIP" on page 36, line 28 through "guidelines for FIIP" on page 37, line 3

14. Page 61, line 28.

**Strike:** "Article III.C.1.a"

**Insert:** "Article III.C.1.b"

15. Page 62, line 1.

**Following:** "Tribes."

**Insert:** "The Tribal Water Right does not include the FIIP Water Use Right or any claim of a water right of whatever nature, on or off reservation, to water controlled by the FIIP, including but not limited to irrigation water deliveries and instream flows."

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 47

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers,

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 53

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 262** - Representative Fiscus moved **SB 262**, second reading copy, be amended as follows:

1. Page 9, line 26.

**Following:** "Tribes."

**Insert:** "A Tribal Water Right with a priority date of time immemorial may not be exercised outside the boundaries of the Flathead Indian Reservation."

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 46

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Hayman, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 54

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

**SB 262** - Representative Flynn moved **SB 262**, second reading copy, be amended as follows:

1. Page 7, line 7.

**Following:** "Appendix 3.3"

**Insert:** "; however, pursuant to Adaptative Management practices, the minimum Historic Farm Deliveries are 1 1/2 Acre-feet a year for land with a clay subsoil and 2 1/2 Acre-feet a year for land with a sandy gravelly subsoil"

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 46

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 54

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 262** - Representative Regier moved **SB 262**, second reading copy, be amended as follows:

1. Page 16, line 8.

**Following:** "Rights"

**Insert:** "and Activities"

2. Page 22, line 29.

**Following:** line 28

**Insert:** "2. Tribal members may fish and construct temporary buildings for curing at usual and accustomed places pursuant to the Hellgate Treaty of 1855, 12 Stat. 975, and regulations established by the Tribes. Neither the Tribes nor a Tribal member may transfer, assign, or license this right to any person who is not a Tribal member or to any other entity. Non Tribal members may fish at usual and accustomed places pursuant to the Hellgate Treaty of 1855, 12 Stat. 975, only in accordance with all applicable state

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

fishing and access laws and regulations. The location and extent of usual and accustomed places as well as the nature of temporary buildings for curing must be established by a preponderance of evidence through a declaratory judgment action brought in state district court by the Tribes or a Tribal member wishing to use the right to fish at usual and accustomed places. The district court shall declare the existence of a usual and accustomed place as well as the terms and conditions of such use, and the plaintiff carries the burden of proof by a preponderance of the evidence. A declaratory judgment action in state district court brought by the Tribes does not waive the Tribes' sovereign immunity for any relief or action beyond that particular matter. No attorney fees may be awarded against any original party to such an action, except for violations of the rules of civil procedure as determined by the district court."

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 49

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 51

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Representative Ballance stood in objection to the use of given names during discussion on the House Floor.

The Chair requested Representative Williams not use given names during her testimony.

**SB 262** - Representative Fiscus moved **SB 262**, second reading copy, be amended as follows:

1. Page 50.

**Following:** line 4

**Insert:** "F. This Compact must comply with the judicial interpretation provided for in Tarrant Regional Water District v. Herrmann, 133 S.Ct. 2120, 2130, 186 L.Ed. 2d 153 (2013)."



HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 46

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Hayman, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 54

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 262** - Representative Regier moved **SB 262**, second reading copy, be amended as follows:

1. Page 16, line 9 through page 22, line 28.

**Strike:** page 16, line 9 through page 22, line 28 in their entirety.

**Insert:** "1. The Tribes shall not have an Instream Flow water right in a watercourse or in any reach of a watercourse outside the boundaries of the Flathead Indian Reservation."

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 47

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff,

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 53

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 262** - Representative Regier moved **SB 262**, second reading copy, be amended as follows:

1. Page 28, line 3.

**Strike:** "85-2-302, 85-2-307 through 85-2-310, and 85-2-314"

**Insert:** "Title 85, chapter 2, part 3"

2. Page 28, line 5.

**Strike:** "subsections (1) through (3) and (8) through (17) of 85-2-402"

**Insert:** "Title 85, chapter 2, part 4"

3. Page 29, line 11 through line 12.

**Strike:** "85-2-302," on line 11 through "85-2-314" on line 12

**Insert:** "Title 85, chapter 2, part 3"

4. Page 29, line 13.

**Strike:** "the following provisions of State law"

**Insert:** "Title 85, chapter 2, part 4, MCA,"

5. Page 29, line 14 through line 16.

**Strike:** ":" on line 14 through "85-2-407, MCA" on line 16

**Following:** "provided" on line 16

**Strike:** ", "

**Following:** "that" on line 16

**Insert:** "for purposes of 85-2-407, MCA,"

6. Page 29, line 17 through line 18.

**Strike:** ";" on line 17 through "Article IV.B.6.a.iii.2.a" on line 18

7. Page 31, line 28.

**Strike:** "85-2-302, 85-2-307 through 85-2-310, and 85-2-314"

**Insert:** "Title 85, chapter 2, part 3"

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

8. Page 31, line 30 through page 32, line 2.

**Strike:** ":" on page 31, line 30 through "85-2-407, MCA" on page 32, line 2

**Following:** "that" on page 32, line 2

**Insert:** "for purposes of 85-2-407, MCA,"

9. Page 32, line 4 through line 5.

**Strike:** ";" on line 4 through "Article IV.B.6.c.vi.1" on line 5

10. Page 32, line 8.

**Strike:** "1 through 3"

11. Page 32, line 10.

**Insert:** "1 through 3"

12. Page 32, line 12.

**Strike:** "1 through 3"

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 47

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 53

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 262** - Representative Miller moved for cloture. Motion **failed** as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Hayman, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty,

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 59

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hess, Holmlund, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr.

Speaker.

Total 40

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

Representative Miller rose on a **Point of Order** to appeal the cloture vote stating that since the body no longer recognized the 2/3 majority rule, cloture was in order.

The Chair ruled Representative Miller out of order.

**SB 262** - Representative Fitzpatrick moved **SB 262** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 53

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 47

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Randall moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fitzpatrick, Flynn, Funk, Garner, Greef, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.  
Total 70

Nays: J. Bennett, Berglee, Brodehl, Doane, Essmann, Fiscus, Glimm, Hagstrom, Harris, Hess, Lamm, Laszloffy, Lavin, Mandeville, Manzella, Miller, Monforton, Mortensen, Noland, Olszewski, Pinocci, Regier, Schwaderer, Staffanson, Wagoner, White, Wittich, Zolnikov.  
Total 28

Excused: Moore.  
Total 1

Absent or not voting: Tschida.  
Total 1

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 60** passed as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Garner, Greef, Hagstrom, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Mr. Speaker.  
Total 64

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Ehli, Fiscus, Fitzpatrick, Flynn, Glimm, Harris, Hertz, Hess, Jones, Lamm, Lang, Laszloffy, Manzella, McKamey, Monforton, Mortensen, Noland, Olszewski, Pinocci, Redfield, Regier, Ricci, Schwaderer, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov.  
Total 35

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

**HB 119** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 85

Nays: Berglee, B. Brown, Doane, Harris, Manzella, Miller, Monforton, Mortensen, Noland, Schwaderer, Tschida, White, Wittich, Zolnikov.

Total 14

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

**HB 244** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Dudik, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lynch, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pierson, Pinocci, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Swanson, Tschida, Wagoner, Webber, Welborn, Wilson, Woods, Mr. Speaker.

Total 75

Nays: B. Bennett, Z. Brown, Court, Curdy, Dunwell, Eck, Ellis, Hayman, Lamm, Lieser, MacDonald, Manzella, Olsen, Pease-Lopez, Peppers, Perry, Person, Pope, Steenberg, Tropila, White, Williams, Wittich, Zolnikov.

Total 24

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

**HB 374** passed as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Garner, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Person, Pierson, Pope, Price, Redfield, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 64

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Ehli, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Hess, Lamm, Lang, Laszloffy, Manzella, Monforton, Mortensen, Noland, Osmundson, Perry, Pinocci, Randall, Regier, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 35

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

**SB 7** concurred in as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 80

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Glimm, Lamm, Manzella, McKamey, Miller, Monforton, Mortensen, Noland, Pinocci, Randall, Regier, Schwaderer, White, Wittich, Zolnikov.

Total 19

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

**SB 47** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Flynn, Funk, Garner, Greef, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Mortensen, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, White, Williams, Wilson, Woods.

Total 71

Nays: Berglee, Brodehl, B. Brown, Burnett, Doane, Essmann, Fitzpatrick, Glimm, Hagstrom, Harris, Hess, Jones, Lamm, Manzella, Miller, Monforton, Noland, Osmundson, Pinocci, Randall, Regier, Staffanson, Tschida, Wagoner, Welborn, Wittich, Zolnikov, Mr. Speaker.

Total 28

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

**SB 100** concurred in as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 91

Nays: Ballance, B. Brown, Laszloffy, Manzella, Staffanson, Tschida, Wittich, Zolnikov.

Total 8



HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

**SB 102** concurred in as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 88

Nays: Ballance, Brodehl, B. Brown, Lamm, Manzella, McKamey, Monforton, Mortensen, Staffanson, Wittich, Zolnikov.

Total 11

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

**SB 122** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Peppers, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 61

Nays: B. Bennett, Z. Brown, Burnett, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Noonan, Olsen, Pease-Lopez, Perry, Person, Pope, Price, Schreiner, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 38

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

**SB 136** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Brodehl, Garner, Olsen, Person, Wagoner.

Total 5

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

**SB 175** concurred in as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Greef, Hayman, Hertz, Hess, Hill, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 66

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Fiscus, Glimm, Hagstrom, Harris, Hollandsworth, Jones, Lamm, Lang, Laszloffy, Mandeville, Manzella, McKamey, Monforton, Mortensen, Noland, Pinocci, Randall, Redfield, Regier, Ricci, Salomon, Schwaderer, Staffanson, Tschida, White, Wittich, Zolnikov.

Total 33

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

**SB 245** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Lieser, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Shaw, Staffanson, Steenberg, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Court, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Schwaderer, Smith, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 40

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

**SB 284** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 40

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

**MOTIONS**

Majority Leader Regier moved **SB 262** be moved from the Committee of the Whole to the Appropriations Committee.

Motion **failed** as follows:

Yeas: J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Essmann, Flynn, Garner, Glimm, Hagstrom, Harris, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 40

Nays: Ballance, B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Funk, Greef, Hayman, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Regier, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 59

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

Representative G. Bennett moved to reconsider action on **SB 293** and that **SB 293** be placed on third reading on Thursday, April 16, 2015.

Motion **passed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Monforton, Mortensen, Noland, Olszewski, Osmundson, Peppers, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Tropila, Tschida, Wagoner, Webber, White, Zolnikov, Mr. Speaker.

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

Total 57

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Lieser, MacDonald, McCarthy, McClafferty, McConnell, Noonan, Olsen, Pease-Lopez, Perry, Person, Pierson, Pope, Price, Salomon, Steenberg, Swanson, Williams, Wilson, Wittich, Woods.

Total 40

Excused: Moore.

Total 1

Absent or not voting: Miller, Welborn.

Total 2

Representative Dudik requested an interpretation from the Speaker on the reconsider motion on **SB 293**. After discussion Representative Dudik withdrew her request.

Representative McClafferty moved to change their vote on **SB 122** from Yes to No. Without objection, so ordered.

Majority Leader Regier moved the Conference Committee on **SB 261** be dissolved and that a Free Conference Committee be appointed. Motion carried. Speaker Knudsen appointed:

4/15/2015

Representative Lang  
Representative Lynch  
Representative Shaw

Majority Leader Regier moved to appoint a Conference Committee on **HB 2** and request the Senate to appoint a like committee. Motion carried. Speaker Knudsen appointed:

4/15/2015

Representative Ballance  
Representative Noonan  
Representative Osmundson

**UNFINISHED BUSINESS**

A correction for the record from the previous day's third reading vote of **SB 353**. In accordance with Joint Rule 40-170, the vote on third reading after concurrence in amendments is the vote of the house of origin that must be used to determine if the required number of votes has been cast. **SB 353** has been transmitted to the original chamber with a vote of 58-42.

**ANNOUNCEMENTS**

HOUSE JOURNAL  
SEVENTY-SIXTH LEGISLATIVE DAY - APRIL 15, 2015

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 10:00 a.m., Thursday, April 16, 2015. Motion carried.

House adjourned at 4:55 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
SEVENTY-SEVENTH LEGISLATIVE DAY**

Helena, Montana  
April 16, 2015

House Chambers  
State Capitol

House convened at 10:00 a.m. Mr. Speaker presiding. Invocation by Representative Staffanson. Pledge of Allegiance to the Flag. Roll Call. All members present, except Representative D. Moore, excused. Quorum present.

**BILLS** (Welborn, Chair):

4/16/2015

Correctly enrolled: **HB 145, HB 430, HB 472, HB 479, HB 614.**

Transmitted to the Senate: **SB 7, SB 47, SB 100, SB 102, SB 122, SB 136, SB 175, SB 245, SB 284.**

Signed by the Speaker at 4:15 p.m., April 16, 2015: **HB 337, HB 358, HB 373, HB 379, HB 434, HB 448, HB 450, HB 491, HB 503, HB 516, HB 523, HB 525, HB 533, HB 538, HB 542, HB 550, HB 553, HB 554, HB 606.**

Signed by the Chief Clerk of the House at 4:30 p.m., April 16, 2015: **HB 337, HB 358, HB 373, HB 379, HB 434, HB 448, HB 450, HB 491, HB 503, HB 516, HB 523, HB 525, HB 533, HB 538, HB 542, HB 550, HB 553, HB 554.**

Signed by the Chief Clerk of the House at 4:34 p.m., April 16, 2015: **HB 606.**

Signed by the Speaker at 2:50 p.m., April 20, 2015: **HB 60, HB 119, HB 244, HB 374, HB 430.**

Signed by the Chief Clerk of the House at 5:00 p.m., April 20, 2015: **HB 60, HB 119, HB 244, HB 374, HB 430.**

Signed by the President at 4:45 p.m., April 16, 2015: **HB 29, HB 78, HB 180, HB 250, HB 258, HB 284, HB 470, HB 587, HJR 7.**

Representative Ballance rose on a **Point of Personal Privilege**. She stated that she stood on the Floor the previous day in the opening for **HB 2** and stated that she believed that we were all working in good faith to achieve an agreement that made sense and was good for the State of Montana. However, this day, that trust was broken by not honoring the agreement made at the beginning of the session between the Majority and Minority to send all bills with a fiscal impact over \$25,000 General Fund to Appropriations, and the trust was broken.

Representative Noonan rose on a **Point of Personal Privilege**. He stated certain bills were not being treated fairly and trust had been broken. However, he stated he did trust Chair Ballance and other members of the Committee. While both sides may have felt they had been treated unfairly during the process, at this point on Day 77 it was impossible to believe there was going to be enough trust outside the Appropriations Committee in order to send it to the Appropriations Committee.

Representative Cuffe rose on a **Point of Personal Privilege**. He stated it had been implied the Speaker and Minority Leader had manipulated rules and he didn't think anyone rose to their defense. He also stated at this point, it seemed the rules didn't apply or that when a rule was constantly appealed, the rule ceased to exist. Representative Cuffe felt there had been manipulation and maneuvering to the point trust was lost.

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Representative Noland rose on a **Point of Personal Privilege** to share a poem by Red Skelton honoring the Pledge of Allegiance.

**REPORTS OF SELECT COMMITTEES**

CONFERENCE COMMITTEE  
on Senate Amendments to **House Bill 211**  
Report No. 001, April 16, 2015

Madam President and Mr. Speaker:

We, your Conference Committee met and considered Senate amendments to **House Bill 211** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 211** (reference copy -- salmon) be amended as follows:

1. Page 1, line 28.

**Strike:** "STATE"

**Insert:** "national"

For the Senate:  
D. Brown, Chair  
Driscoll  
Kary

For the House:  
Wagoner, Vice Chair  
Miller  
Person

**FREE CONFERENCE COMMITTEE**  
on **Senate Bill 261**  
Report No. 001, April 16, 2015

Madam President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 261** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 261** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 9.

**Following:** "REPORTING;"

**Insert:** "PROVIDING A CONTINGENT FUND TRANSFER AND APPROPRIATION;"

2. Page 10.

**Following:** line 7

**Insert:** "COORDINATION SECTION. **Section 18. Coordination instruction.** If both House Bill No. 2 and [this act] are passed and approved, then:

(1) [sections 14 and 15 of this act] are void;



HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

(2) the general fund appropriation to the department of natural resources and conservation for the sage grouse conservation fund contained in House Bill No. 2 is void;  
(3) for the biennium beginning July 1, 2015, \$10 million is transferred from the general fund to the sage grouse stewardship account established in [section 7 of this act]; and  
(4) for the biennium beginning July 1, 2015, \$10 million is appropriated from the sage grouse stewardship account established in [section 7 of this act] to the department of natural resources and conservation for the purposes of [this act]. If the United States fish and wildlife service lists the greater sage-grouse (*Centrocercus urophasianus*) as endangered under the Endangered Species Act, 16 U.S.C. 1531, et seq., any unencumbered portion of the appropriation made pursuant to this subsection (4) must revert to the general fund."  
**Renumber:** subsequent section

For the Senate:  
Hamlett, Chair  
F. Moore  
Vincent

For the House:  
Lang, Vice Chair  
Lynch  
Shaw

**MESSAGES FROM THE SENATE**

**Governor's amendments to House bill** concurred in and returned to the House: 4/16/2015

**HB 145**, introduced by Cuffe

**House bill** concurred in and returned to the House: 4/17/2015

**HB 430**, introduced by Fitzpatrick

**House Amendments not** concurred in: 4/17/2015

**SB 389**, introduced by Hamlett

**Governor's amendments to Senate bill** concurred in and transmitted to the House for concurrence in the Governor's amendments: 4/16/2015

**SB 188**, introduced by Vincent

**MESSAGES FROM THE GOVERNOR**

April 15, 2015

The Honorable Austin Knudsen

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Speaker of the House  
State Capitol  
Helena, Montana 59620

Dear Speaker Knudsen:

Please be informed that I have signed **House Bill 439** sponsored by Representative Redfield and **House Bill 578** sponsored by Representative Lang on April 15, 2015.

These bills were delivered to the Secretary of State's Office today.

I am returning **House Bill 204** sponsored by Representative Hertz with amendments.

Sincerely,

STEVE BULLOCK  
Governor

April 16, 2015

The Honorable Austin Knudsen  
Speaker of the House  
State Capitol  
Helena, Montana 59620

Dear Speaker Knudsen:

Please be informed that I have signed **House Bill 342** sponsored by Representative B. Bennett and **House Bill 400** sponsored by Representative Custer on April 16, 2015.

Sincerely,

STEVE BULLOCK  
Governor

**FIRST READING AND COMMITMENT OF BILLS**

The following House joint resolution was introduced, read first time, and referred to committee:

**HJR 32**, introduced by T. Woods, M. Funk, D. Hayman, K. Kelker, K. McCarthy, D. Mortensen, K. Swanson, B. Tschida, S. Webber, referred to Education.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Lieser in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**SB 252** - Majority Leader Regier moved consideration of **SB 252** be placed at the bottom of the second reading board. Motion carried.

**SB 260** - Majority Leader Regier moved consideration of **SB 260** be placed above **SB 252** on the second reading board. Motion carried.

**SB 20** - Representative Lynch moved **SB 20** be concurred in. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 94

Nays: Ballance, Burnett, Monforton, Tschida, Wittich, Zolnikov.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 193** - Representative Lang moved **SB 193** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, MacDonald, Mandeville, Manzella, McCarthy, McConnell, Mehlhoff, Meyers, Moore, Mortensen, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams,

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Wilson, Zolnikov, Mr. Speaker.

Total 74

Nays: B. Brown, Burnett, Doane, Essmann, Glimm, Hagstrom, Harris, Hertz, Hess, Jones, Lamm, Lynch, McClafferty, McKamey, Miller, Monforton, Noland, Noonan, Pinocci, Randall, Tschida, Wagoner, Welborn, White, Wittich, Woods.

Total 26

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 194** - Representative Jacobson moved **SB 194** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Richmond, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 75

Nays: J. Bennett, Brodehl, B. Brown, Burnett, Doane, Essmann, Glimm, Hollandsworth, Jones, Lamm, Manzella, Monforton, Mortensen, Olszewski, Pinocci, Redfield, Regier, Ricci, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich.

Total 25

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 308** - Representative Schwaderer moved **SB 308** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Custer, Doane, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jacobson, Jones, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, Manzella, McCarthy, McKamey, Mehlhoff, Meyers, Miller, Monforton,

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Mortensen, Noland, Olszewski, Osmundson, Pierson, Pinocci, Pope, Randall, Redfield, Regier, Ricci, Richmond, Schreiner, Schwaderer, Shaw, Staffanson, Tropila, Tschida, Wagoner, Welborn, White, Williams, Wittich, Zolnikov, Mr. Speaker.

Total 68

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Dudik, Dunwell, Eck, Funk, Hayman, Hunter, Karjala, Kelker, MacDonald, McClafferty, McConnell, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Price, Salomon, Smith, Steenberg, Swanson, Webber, Wilson, Woods.

Total 32

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 312** - Representative Steenberg moved **SB 312** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Mr. Speaker.

Total 64

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Doane, Fitzpatrick, Glimm, Harris, Hertz, Jones, Lamm, Laszloffy, Manzella, McKamey, Miller, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov.

Total 35

Excused: None.

Total 0

Absent or not voting: Lang.

Total 1

**SB 326** - Representative Flynn moved **SB 326** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Essmann, Fiscus,

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Ellis, McKamey.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 378** - Representative Jacobson moved **SB 378** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Tschida.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HJR 21** - Representative B. Bennett moved **HJR 21** be adopted. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett,

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 90

Nays: Cook, Fitzpatrick, Lang, Lavin, Monforton, Redfield, Ricci, Tschida, Welborn, Wittich.  
Total 10

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HJR 23** - Representative Lamm moved **HJR 23** be adopted. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Dunwell, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Lieser, Mandeville, Manzella, McCarthy, McConnell, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Perry, Person, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Steenberg, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 67

Nays: Z. Brown, Court, Curdy, Dudik, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lynch, MacDonald, McClafferty, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Pierson, Pope, Price, Schreiner, Smith, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 33

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HJR 24** - Representative Curdy moved **HJR 24** be adopted. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark,

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 90

Nays: Burnett, Fiscus, Flynn, Harris, Monforton, Mortensen, Regier, Tschida, Wittich.  
Total 9

Excused: None.  
Total 0

Absent or not voting: Pinocci.  
Total 1

**HJR 26** - Representative Pierson moved **HJR 26** be adopted. Motion carried as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Greef, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 72

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Fiscus, Glimm, Hagstrom, Harris, Hess, Jones, Lamm, Manzella, McKamey, Meyers, Monforton, Noland, Randall, Redfield, Regier, Staffanson, Wagoner, Wittich, Zolnikov.  
Total 28

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HJR 27** - Representative Holmlund moved **HJR 27** be adopted. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett,



HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Dudik, Hayman.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 264** - Representative White moved **SB 264** be concurred in.

**SB 264** - Representative Hertz moved **SB 264**, second reading copy, be amended as follows:

1. Page 1, line 24.

**Strike:** "7.5%"

**Insert:** "1%"

2. Page 2, line 1.

**Strike:** "7%"

**Insert:** "1%"

3. Page 2, line 5.

**Strike:** "7%"

**Insert:** "1%"

4. Page 2, line 7.

**Strike:** "3.5%"

**Insert:** "1%"

5. Page 2, line 9.

**Strike:** "2%"

**Insert:** "1%"

6. Page 4, line 19.

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

**Strike:** "7.5%"

**Insert:** "1%"

7. Page 4, line 25.

**Strike:** "7%"

**Insert:** "1%"

8. Page 4, line 29.

**Strike:** "7%"

**Insert:** "1%"

9. Page 5, line 1.

**Strike:** "3.5%"

**Insert:** "1%"

10. Page 5, line 3.

**Strike:** "2%"

**Insert:** "1%"

Amendment adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: B. Bennett, Court, Olsen, Perry, Smith, Williams, Wilson.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 264** - Representative White moved **SB 264**, as amended, be concurred in. Motion carried as follows:

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Yeas: B. Bennett, J. Bennett, Berglee, Berry, B. Brown, Z. Brown, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Regier, Ricci, Richmond, Schreiner, Schwaderer, Smith, Steenberg, Swanson, Tropila, Webber, White, Williams, Wilson, Woods.

Total 68

Nays: Ballance, Brodehl, Burnett, Clark, Cook, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Glimm, Harris, Jones, Lamm, Lang, Mandeville, Manzella, Monforton, Moore, Mortensen, Pinocci, Randall, Redfield, Salomon, Shaw, Staffanson, Tschida, Wagoner, Welborn, Wittich, Zolnikov, Mr. Speaker.

Total 32

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 306** - Representative Laszloffy moved **SB 306** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: B. Brown, Cuffe, Glimm, Olsen.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

**SB 309** - Representative Flynn moved **SB 309** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Berry, Hollandsworth, Jones, Lamm, Redfield.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Lieser moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McClafferty, McConnell, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 96

Nays: McCarthy, Mehlhoff, Zolnikov.

Total 3

Excused: None.

Total 0

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Absent or not voting: Osmundson.

Total 1

House in Recess

House Reconvened

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Lieser in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**SB 375** - Representative Randall moved **SB 375** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, Z. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Hagstrom, Harris, Hertz, Hess, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McCarthy, McKamey, Miller, Monforton, Mortensen, Noland, Noonan, Olszewski, Osmundson, Person, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schreiner, Schwaderer, Steenberg, Tschida, Wagoner, White, Zolnikov, Mr. Speaker.

Total 54

Nays: B. Bennett, Berry, B. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ehli, Ellis, Funk, Greef, Hayman, Hill, Hollandsworth, Hunter, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Olsen, Pease-Lopez, Peppers, Perry, Pierson, Pope, Price, Salomon, Shaw, Smith, Staffanson, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Wittich, Woods.

Total 46

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 380** - Representative Shaw moved **SB 380** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville,

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 83

Nays: Ballance, J. Bennett, Brodehl, Burnett, Cuffe, Glimm, Jones, Lamm, Lang, Manzella, Noland, Olszewski, Pinocci, Tschida, White, Zolnikov.

Total 16

Excused: None.

Total 0

Absent or not voting: McKamey.

Total 1

**SB 386** - Representative Cook moved **SB 386** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Zolnikov, Mr. Speaker.

Total 91

Nays: Brodehl, B. Brown, Manzella, Meyers, Olsen, Pinocci, Regier, Tschida, Woods.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 393** - Representative Lang moved **SB 393** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth,

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: B. Brown, Essmann, Lamm, McKamey, Monforton, Wittich.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 395** - Representative Berglee moved **SB 395** be concurred in. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Clark, Doane, Essmann, Fiscus, Fitzpatrick, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pinocci, Randall, Regier, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 49

Nays: B. Bennett, Berry, Z. Brown, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Flynn, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Ricci, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 51

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 398** - Representative Lynch moved **SB 398** be concurred in.

**SB 398** - Representative Lynch moved **SB 398**, second reading copy, be amended as follows:

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

1. Page 2, line 11.

**Strike:** "TOTAL"

**Following:** "dividend"

**Insert:** "each fiscal year"

2. Page 2, line 14.

**Strike:** "OR 10%"

**Insert:** ". These funds returned to the state must be deposited in the general fund"

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 90

Nays: B. Brown, Glimm, Harris, Lang, Mortensen, Olszewski, Schwaderer, Tschida, Wittich, Zolnikov.

Total 10

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 398** - Representative Cook moved **SB 398**, second reading copy, be amended as follows:

1. Title, page 1, line 4.

**Following:** "PAYMENT"

**Insert:** "AND ASSET DESIGNATION"

2. Title, page 1, line 6.

**Following:** "AUDITOR;"

**Insert:** "NAMING THE STATE FUND BUILDING; CREATING AN EXCEPTION TO BUILDING NAMING CRITERIA;"

**Following:** "SECTIONS"

**Insert:** "2-17-807,"

**Following:** "39-71-2311"



HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

**Insert:** ", "

3. Page 1.

**Following:** line 10

**Insert:** "Section 1. Section 2-17-807, MCA, is amended to read:

**"2-17-807. Approval for displays and naming buildings, spaces, and rooms.** (1) A state building, space, or room in the capitol complex may not be named after an individual or a bust, plaque, statue, memorial, monument, or art display may not be displayed on a long-term basis in the capitol complex or on the capitol complex grounds unless the building, space, or room name or display is approved by the legislature and complies with this part. The capitol building, including any future additions and expansions, may not be named after any person, as defined in 2-4-102.

(2) (a) Except as provided in subsections (2)(b) through ~~(2)(e)~~ (2)(f), a state building, space, or room in the capitol complex may not be named after an individual or a bust, plaque, statue, memorial, monument, or art display commemorating an individual may not be displayed on a long-term basis in the capitol complex unless the individual has been deceased for at least 10 years.

(b) The statue of Mike and Maureen Mansfield authorized in 2-17-808(1)(d)(iii) and the plaque commemorating President George H. W. Bush authorized in 2-17-808(2)(b)(ii) may continue to be displayed in the capitol complex.

(c) A public building within the capitol complex constructed with private funds after April 17, 2007, or a space or room constructed with private funds after April 17, 2007, in a public building, other than the capitol building, may bear a name designated by the benefactor of the building, space, or room if:

(i) the building, space, or room is to be owned by or used exclusively or primarily by the Montana historical society to store or display artifacts or other property owned by the Montana historical society; and

(ii) the building, space, or room and the designated name are approved by the council and by the board of the historical society, provided for in 2-15-1512.

(d) The classroom building authorized in May 2007 to be built at the Montana law enforcement academy may be named after Karl Ohs, and a plaque and the Lou Peters award commemorating Karl Ohs may be displayed there.

(e) The justice building located at 215 North Sanders in Helena must be named after Joseph P. Mazurek, and a plaque and memorial commemorating him may be displayed on the capitol complex grounds.

(f) The state fund building located at 855 Front Street in Helena must be named the Jimmy and Dolores Keane commemorative workers' safety and medical care facility.

(3) A bust, plaque, statue, memorial, monument, or art display commemorating an event, including a military event, may not be displayed on a long-term basis in the capitol complex until 10 years after the end of the event.

(4) All busts, plaques, statues, memorials, monuments, or art displays authorized, but not installed within 5 years of authorization, must be reauthorized.

(5) The department of administration may review and approve the temporary display of a bust, plaque, statue, memorial, monument, or art display for up to 1 year in the capitol complex or on the capitol complex grounds."

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

**Renumber:** subsequent sections

4. Page 2, line 23.

**Strike:** "[This act] terminates"

**Insert:** "[Sections 2 and 3] terminate"

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, Berglee, B. Brown, Z. Brown, Burnett, Cook, Cuffe, Curdy, Doane, Dudik, Ehli, Ellis, Essmann, Fitzpatrick, Funk, Glimm, Hagstrom, Hollandsworth, Holmlund, Jacobson, Jones, Kipp III, Laszloffy, Lynch, McCarthy, McConnell, McKamey, Miller, Moore, Noland, Noonan, Olsen, Osmundson, Peppers, Perry, Person, Pierson, Randall, Regier, Salomon, Schreiner, Schwaderer, Shaw, Steenberg, Swanson, Tropila, Webber, Welborn, Zolnikov, Mr. Speaker.

Total 51

Nays: J. Bennett, Berry, Brodehl, Clark, Court, Custer, Dunwell, Eck, Fiscus, Flynn, Garner, Greef, Harris, Hayman, Hertz, Hess, Hill, Hunter, Karjala, Kelker, Lamm, Lang, Lavin, Lieser, MacDonald, Mandeville, Manzella, McClafferty, Mehlhoff, Meyers, Monforton, Mortensen, Olszewski, Pease-Lopez, Pinocci, Pope, Price, Redfield, Ricci, Richmond, Smith, Staffanson, Tschida, Wagoner, White, Williams, Wilson, Wittich, Woods.

Total 49

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 398** - Representative Lynch moved **SB 398**, as amended, be concurred in. Motion **failed** as follows:

Yeas: Dudik, Funk, Hill, Jacobson, Karjala, Lynch, McCarthy, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Person, Pierson, Schreiner, Shaw, Steenberg, Swanson, Tropila, Webber, Welborn.

Total 21

Nays: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hollandsworth, Holmlund, Hunter, Jones, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, MacDonald, Mandeville, Manzella, McClafferty, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Smith, Staffanson, Tschida, Wagoner, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Total 79

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 409** - Representative G. Bennett moved **HB 409** do pass.

**SB 409** - Representative Dunwell moved **SB 409**, second reading copy, be amended as follows:

1. Page 4, line 21.

**Following:** "consideration"

**Insert:** "long-term stability, public safety,"

2. Page 6, line 25.

**Strike:** line 25 in its entirety

**Renumber:** subsequent subsections

3. Page 11, line 28.

**Following:** "operator"

**Insert:** "and the department"

4. Page 12, line 22.

**Strike:** "practicable"

**Insert:** "available"

**Following:** "concerns"

**Insert:** "and taking into primary consideration public safety and long-term stability"

5. Page 16, line 2.

**Strike:** "operator or permit applicant"

**Insert:** "department"

6. Page 16, line 3 through line 5.

**Strike:** "and shall" on line 3 through "department" on line 5

7. Page 16, line 24.

**Strike:** "operator"

**Insert:** "department"

8. Page 19, line 4.

**Strike:** "operator"

**Insert:** "department"

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 40

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Peppers, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 60

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 409** - Representative G. Bennett moved **SB 409** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 99

Nays: Olsen.  
Total 1

Excused: None.  
Total 0

Absent or not voting: None.

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Total 0

**SB 410** - Representative Schwaderer moved **SB 410** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 57

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Harris, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 43

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 411** - Representative Harris moved **SB 411** be concurred in.

**SB 411** - Representative Wagoner moved **SB 411**, second reading copy, be amended as follows:

1. Title, page 1, line 9.

**Following:** "CENTER;"

**Insert:** "ESTABLISHING REQUIREMENTS FOR COMMUNITY-BASED RESIDENTIAL FACILITIES; PROVIDING PROTECTIONS FOR MONTANA DEVELOPMENTAL CENTER EMPLOYEES;"

**Following:** "EXPENDITURES;"

**Insert:** "TRANSFERRING PROPERTY; PROVIDING APPROPRIATIONS;"

2. Title, page 1, line 10.

**Strike:** "53-20-104,"

**Following:** "53-20-214,"

**Insert:** "77-2-302,"

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

3. Page 1, line 16.

**Following:** "services."

**Insert:** "(1)"

**Following:** "legislature to"

**Insert:** ": (a)"

4. Page 1, line 17.

**Following:** "53-20-301"

**Strike:** ", and to"

**Insert:** "; (b)"

**Following:** "center"

**Insert:** "; and

(c) mitigate the impacts of the closure of the Montana developmental center by providing employees with financial security and training opportunities in recognition of the fact that the center employs nearly 250 people and its closure will cause high unemployment in a small community unable to absorb the impact.

(2)"

5. Page 1, line 19.

**Strike:** "(1)"

**Insert:** "(a)"

**Renumber:** subsequent subsections

6. Page 1, line 20.

**Strike:** "June 30, 2017"

**Insert:** "December 31, 2016"

7. Page 1, line 23.

**Strike:** "and"

8. Page 1, line 24.

**Strike:** "most"

**Insert:** "all"

9. Page 1, line 25 through line 26.

**Following:** "2016"

**Strike:** "1 with" on line 25 through "date" on line 26

10. Page 1, line 29.

**Following:** "services"

**Insert:** "; and

(d) transfer all real and personal property used for the Montana developmental center to Jefferson County no later than December 31, 2016. In making the transfer, the state:

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

(i) shall retire all debts, including bonds, related to the property; and  
(ii) may not remove or transfer real or personal property used by the Montana developmental center to any other entity"

11. Page 2, line 3.

**Strike:** "4"

**Insert:** "5"

12. Page 3.

**Following:** line 15

**Insert:** "NEW SECTION. Section 4. Community-based residential facilities -- requirements -- restrictions. (1) In accordance with rules adopted pursuant to [section 3] and with the provisions of this section, the department of public health and human services shall approve a private, community-based facility as a residential facility able to meet the needs of:

(a) a seriously developmentally disabled individual who is committed to a residential facility pursuant to this chapter;

(b) a developmentally disabled person placed by the director of the department of public health and human services in a residential facility pursuant to 46-14-221; or

(c) a developmentally disabled person sentenced pursuant to 46-14-312 and determined by the director of the department of public health and human services to be most appropriately placed in a residential facility.

(2) (a) Before an existing community-based facility may be approved as a residential facility, the facility shall:

(i) notify the department of public health and human services of its interest in being designated as a residential facility; and

(ii) comply with the reporting, inspection, and investigation procedures provided for in 53-20-104 and 53-20-163 for 12 months after the date notification is provided to the department.

(b) The provisions of subsection (2)(a)(ii) do not apply to a new community-based facility not in operation on [the effective date of this act]."

**Renumber:** subsequent sections

13. Page 3.

**Following:** line 25

**Insert:** "NEW SECTION. Section 7. Montana developmental center employee protections. In addition to the protections provided in Title 2, chapter 18, part 12, and 19-2-706, individuals whose employment at the Montana developmental center is terminated as a result of the closure required under [sections 1 through 4] are entitled to:

(1) up to 2 years of state-funded, full-time job training, including but not limited to certification programs, apprenticeship programs, vocational programs, and postsecondary education; and

(2) severance pay equal to 6 months of pay as follows:

(a) the average of the individual's pay rate for the most recent 12 months of employment if the individual has worked at the Montana developmental center for 12 or more

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

months; or

(b) the individual's highest monthly pay rate if the individual has worked at the Montana developmental center for less than 12 months."

14. Page 6, line 28 through page 8, line 1.

**Strike:** section 8 in its entirety

15. Page 10, line 9.

**Strike:** "(a)"

16. Page 10, line 12 through line 14.

**Strike:** subsection (b) in its entirety

17. Page 10, line 24.

**Strike:** "(a)"

18. Page 10, line 29 through page 11, line 1.

**Strike:** subsection (b) in its entirety

19. Page 17, line 30 through page 18, line 1.

**Strike:** "if the" on page 17, line 30 through "center," on page 18, line 1

20. Page 18, line 19.

**Strike:** "at the Montana developmental center"

21. Page 18, line 22.

**Strike:** "Montana developmental center"

**Insert:** "residential facility"

22. Page 19.

**Following:** line 16

**Insert:** "**Section 17.** Section 77-2-302, MCA, is amended to read:

**"77-2-302. Disposition of former institutions and certain federal land grants. (1)**

Notwithstanding any other section in this chapter, any lands, including buildings, that were formerly used as or by a state institution and that are no longer used for institutional purposes may be disposed of in whole or in part on the terms and in the manner that the board, after consultation with the appropriate legislative committee, may determine to be in the state's best interest, subject to The Enabling Act and constitutional restrictions. Disposal of the property may not be finally concluded until 60 days' public notice of the terms of the proposed disposal has been given.

(2) Notwithstanding any other section in this chapter, any lands, including buildings, granted to the state by the United States pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. 9601, et seq., or acquired by the state as remedial action pursuant to 75-10-704, 75-10-711, or 75-10-712 may be disposed of in whole or in part on the terms and in the manner that the board, after consultation with the



HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

director of the department of environmental quality, determines to be in the state's best interest.

(3) The department of public health and human services may transfer the real and personal property used for the Montana developmental center as provided in [section 1]."

23. Page 20.

**Following:** line 18

**Insert:** "NEW SECTION. Section 19. Appropriations. (1) The following amounts are appropriated from the general fund to the department of public health and human services for the biennium beginning July 1, 2015:

(a) \$4.3 million to be used for job training of former Montana developmental center employees as provided in [section 7];

(b) \$7 million for a grant to Jefferson County for economic development activities and to refurbish and retrofit the buildings, grounds, and infrastructure at the Montana developmental center in a manner determined by the county; and

(c) \$3.8 million for a grant to the city of Boulder. The money may be used only to pay off the balance of the city's loan for its wastewater treatment plant.

(2) The department shall grant \$3 million of the \$7 million appropriation provided for in subsection (1)(b) to Jefferson County no later than December 31, 2015, for economic development activities. The remainder of the appropriation must be granted to the county by December 31, 2016."

24. Page 20, line 20.

**Strike:** "4"

**Insert:** "5"

25. Page 20, line 22.

**Strike:** "4"

**Insert:** "5"

26. Page 21, line 3.

**Strike:** "6"

**Insert:** "8"

Amendment **not** adopted as follows:

Yeas: Berry, Z. Brown, Court, Dunwell, Fitzpatrick, Funk, Hill, Kipp III, Lamm, McClafferty, Mehlhoff, Meyers, Moore, Mortensen, Olsen, Pease-Lopez, Perry, Pierson, Pinocci, Price, Randall, Schreiner, Shaw, Tschida, Wagoner, Welborn, White, Woods, Zolnikov.

Total 29

Nays: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Dudik, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McConnell, McKamey, Miller, Monforton, Noland, Noonan, Olszewski, Osmundson,

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Peppers, Person, Pope, Redfield, Ricci, Richmond, Salomon, Schwaderer, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Mr. Speaker.  
Total 70

Excused: None.  
Total 0

Absent or not voting: Regier.  
Total 1

**SB 411** - Representative Wagoner moved **SB 411**, second reading copy, be amended as follows:

1. Page 1, line 15.

**Strike:** "intent -- "

2. Page 1, line 16 through line 18.

**Strike:** "It is" on line 16 through "purpose, the" on line 18

**Insert:** "The"

**Strike:** ":" on line 18

**Insert:** ", "

3. Page 1, line 19.

**Strike:** "(1)"

4. Page 1, line 20.

**Strike:** "by June 30, 2017;"

**Insert:** "."

5. Page 1, line 21 through line 30.

**Strike:** subsection (2) through subsection (3) in their entirety

6. Page 3, line 2.

**Strike:** "and"

7. Page 3, line 3.

**Following:** "center"

**Strike:** "."

**Insert:** "; and

(f) recommend dates for closure of the Montana developmental center.

(4) The committee shall review available information on best practices for closing institutions and incorporate best practices into its deliberations and its recommendations."

**Renumber:** subsequent subsections

Amendment **not** adopted as follows:

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Yeas: Berry, Z. Brown, Funk, Hess, Hill, Lamm, McKamey, Mehlhoff, Moore, Mortensen, Pinocci, Price, Randall, Regier, Schreiner, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Woods, Zolnikov.

Total 24

Nays: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Meyers, Miller, Monforton, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Redfield, Ricci, Richmond, Salomon, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Mr. Speaker.

Total 76

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 411** - Representative Miller moved for cloture. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Smith, Staffanson, Steenberg, Swanson, Tschida, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: Court, Kipp III, Mehlhoff, Olsen, Shaw, Tropila, Wagoner.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

**SB 411** - Representative Harris moved **SB 411** be concurred in. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, Burnett, Cook, Cuffe, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hollandsworth, Holmlund, Jones, Karjala, Lang, Laszloffy, Mandeville, Manzella, McCarthy, McConnell, McKamey, Meyers, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Perry, Redfield, Ricci, Richmond, Smith, Staffanson, Steenberg, Wittich, Mr. Speaker.

Total 49

Nays: B. Bennett, Berry, B. Brown, Z. Brown, Clark, Court, Curdy, Ellis, Fitzpatrick, Funk, Hayman, Hess, Hill, Hunter, Jacobson, Kelker, Kipp III, Lamm, Lavin, Lieser, Lynch, MacDonald, McClafferty, Mehlhoff, Miller, Monforton, Moore, Pease-Lopez, Peppers, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Salomon, Schreiner, Schwaderer, Shaw, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov.

Total 51

Excused: None.

Total 0

Absent or not voting: None.

Total 0

House recessed

House reconvened

Representative Dunwell rose on a **Point of Personal Privilege**. She stated that during discussion on **SB 411**, she felt that negative comments were made about the sponsor and she wanted to say that she knew the sponsor was a person of integrity.

**SB 414** - Representative Fitzpatrick moved **SB 414** be concurred in. Motion **failed** as follows:

Yeas: J. Bennett, Berglee, Berry, Brodehl, Burnett, Clark, Cook, Doane, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lang, Laszloffy, Lavin, Mandeville, McKamey, Meyers, Osmundson, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Wagoner, Welborn, White, Zolnikov, Mr.

Speaker.

Total 41

Nays: Ballance, B. Bennett, B. Brown, Z. Brown, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Schreiner, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Williams, Wilson, Wittich, Woods.

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Total 59

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 260** - Representative Kelker moved **SB 260** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, McConnell, Meyers, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Peppers, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Wagoner, Welborn, White, Williams, Zolnikov, Mr. Speaker.

Total 68

Nays: J. Bennett, Brodehl, B. Brown, Z. Brown, Eck, Funk, Glimm, Hunter, Jones, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McKamey, Mehlhoff, Miller, Noonan, Olsen, Pease-Lopez, Perry, Person, Pinocci, Schreiner, Swanson, Tropila, Tschida, Webber, Wilson, Wittich, Woods.

Total 32

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 252** - Representative Lamm moved **SB 252** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Mandeville, Manzella, McCarthy, McConnell, McKamey, Mehlhoff, Meyers, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Wagoner, Welborn, White, Williams, Woods, Zolnikov, Mr. Speaker.

Total 78

Nays: B. Brown, Z. Brown, Dunwell, Funk, Glimm, Lynch, MacDonald, McClafferty, Miller, Monforton, Noonan, Pease-Lopez, Peppers, Perry, Pinocci, Schreiner, Swanson, Tropila,

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Tschida, Webber, Wilson, Wittich.

Total 22

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Lieser moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Berglee, Eck, Karjala, Perry, Smith.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Lieser in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**SB 157** - Representative Cook moved **SB 157** be concurred in.

**SB 157** - Representative Hertz moved **SB 157**, second reading copy, be amended as follows:

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

1. Title, page 1, line 6 through line 8.  
**Strike:** "PROVIDING" on line 6 through "PROPERTY;" on line 8
2. Title, page 1, line 13.  
**Strike:** "15-24-3202, 15-24-3203,"
3. Page 1, line 19 through line 26.  
**Strike:** section 1 in its entirety  
**Renumber:** subsequent sections
4. Page 7, line 22.  
**Following:** "of"  
**Insert:** "percentage of"
5. Page 7, line 25.  
**Following:** "that is the"  
**Insert:** "percentage of"
6. Page 12, line 3.  
**Following:** "~~taxable~~"  
**Insert:** "its taxable"
7. Page 18, line 17.  
**Strike:** "11(2)"  
**Insert:** "10(2)"
8. Page 19, line 8.  
**Strike:** "12"  
**Insert:** "11"
9. Page 19, line 9.  
**Strike:** "13"  
**Insert:** "12"
10. Page 19, line 10.  
**Strike:** "12"  
**Insert:** "11"  
**Strike:** "13"  
**Insert:** "12"
11. Page 19, line 12.  
**Strike:** "10"  
**Insert:** "9"

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

12. Page 19, line 14.

**Strike:** "10"

**Insert:** "9"

13. Page 19, line 15.

**Strike:** "12"

**Insert:** "11"

**Strike:** "13"

**Insert:** "12"

14. Page 19, line 20.

**Strike:** "10"

**Insert:** "9"

15. Page 19, line 25.

**Strike:** "10"

**Insert:** "9"

16. Page 20, line 4.

**Strike:** "12"

**Insert:** "11"

17. Page 20, line 5.

**Strike:** "13"

**Insert:** "12"

18. Page 20, line 10.

**Strike:** "12"

**Insert:** "11"

**Strike:** "13"

**Insert:** "12"

19. Page 20, line 12.

**Strike:** "12"

**Insert:** "11"

**Strike:** "13"

**Strike:** "12"

20. Page 21, line 29.

**Strike:** "11"

**Insert:** "10"

21. Page 22, line 10.

**Strike:** "10"

**Insert:** "9"



HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

22. Page 22, line 14.

**Strike:** "12"

**Insert:** "10"

23. Page 23, line 14.

**Strike:** "10"

**Insert:** "9"

24. Page 23, line 25.

**Following:** "~~(1)(b)~~,"

**Insert:** "except as provided in subsection (1)(b),"

25. Page 23, line 30.

**Following:** "~~rate~~."

**Insert:** "(b) After the first year, the department is not required to mail the notice provided for in subsection (1)(a)(iii) if the change in valuation is the result of an annual incremental change in valuation caused by the phasing in of a reappraisal under 15-7-111."

**Renumber:** subsequent subsections

26. Page 24, line 5.

**Strike:** "10"

**Insert:** "9"

**Strike:** "13"

**Insert:** "12"

27. Page 24, line 13.

**Strike:** "(1)(b)"

**Insert:** "(1)(c)"

28. Page 25, line 6 through line 12.

**Strike:** "For" on line 6 through "(III)"

29. Page 25, line 12.

**Following:** "FOR"

**Insert:** "class three property described in 15-6-133, class four property described in 15-6-134, and"

30. Page 26, line 6 through line 7.

**Strike:** "COUNTY TAX APPEAL BOARD"

**Insert:** "department"

31. Page 28, line 16 through line 17.

**Strike:** "Beginning" on line 16 through "ALL" on line 17

**Insert:** "All"

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

32. Page 28, line 18.

**Following:** "WITHIN"

**Insert:** "class three, class four, and"

33. Page 28, line 19.

**Following:** "of"

**Insert:** "and phase in the value of"

34. Page 28, line 21.

**Strike:** "AND" through "PROPERTY"

35. Page 28, line 22.

**Following:** "value"

**Insert:** "and phased-in value"

36. Page 28, line 23.

**Strike:** "AND" through "PROPERTY"

37. Page 28, line 24 through line 26.

**Strike:** "class" on line 24 through the first "OF" on line 26

**Insert:** "class three, class four, and"

38. Page 28, line 27.

**Strike:** "FOR" through "PROPERTY"

39. Page 29, line 1.

**Following:** "end of the"

**Insert:** "end of the"

**Following:** "and fourth"

**Insert:** "and fourth"

40. Page 29, line 3 through line 4.

**Strike:** "report" on line 3 through "class" on line 4

**Insert:** "sales assessment ratio study of residences to be used to allow the committee to be appraised of the housing market and value trends"

41. Page 29, line 6.

**Strike:** "classes three; AND"

**Insert:** "class three, class"

**Following:** "four;"

**Insert:** ", and class ten"

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

42. Page 29, line 8 through line 10.

**Strike:** "must" on line 8 through "AND" on line 10

43. Page 29, line 10.

**Following:** "ALL"

**Insert:** "class three, class four, and"

44. Page 29, line 12.

**Strike:** the first "FOR" through "PROPERTY"

45. Page 29, line 14.

**Strike:** "CLASS TEN PROPERTY"

46. Page 29, line 28 through line 29.

**Strike:** "in" on line 28 through "VALUES" on line 29

47. Page 35, line 29.

**Following:** "of"

**Insert:** "percentage of"

48. Page 39, line 16.

**Strike:** "2-year"

49. Page 39, line 19.

**Following:** "later"

**Insert:** "or within 30 days of the determination after review, whichever is later"

50. Page 41, line 26.

**Strike:** "10"

**Insert:** "9"

**Strike:** "13"

**Insert:** "12"

51. Page 42, line 29.

**Strike:** "12"

**Insert:** "11"

52. Page 45, line 25 through page 46, line 28.

**Strike:** section 27 through section 28 in their entirety

**Renumber:** subsequent sections

53. Page 49, line 16.

**Following:** "values"

**Insert:** "without any adjustments as a result of phasing in values"

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

54. Page 50, line 25 through line 29.

**Strike:** "(1)" on line 25 through "(2)" on line 29

55. Page 50, line 29.

**Strike:** "10"

**Insert:** "9"

56. Page 50, line 29.

**Strike:** "13"

**Insert:** "12"

57. Page 50, line 30.

**Strike:** "10"

**Insert:** "9"

**Strike:** "13"

**Insert:** "12"

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Perry, Pinocci, Randall, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 42

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Noonan, Olsen, Pease-Lopez, Peppers, Person, Pierson, Pope, Price, Redfield, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 58

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 157** - Representative Redfield moved **SB 157**, second reading copy, be amended as follows:

1. Page 29, line 23.

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

**Following:** line 22

**Insert:** "(7) The department shall administer the program for reappraisal of all taxable property as provided in this section using the same number of full-time equivalent employees that are employed by the department in fiscal year 2015."

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Flynn, Glimm, Hagstrom, Harris, Hertz, Hess, Holmlund, Jacobson, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 44

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hayman, Hill, Hollandsworth, Hunter, Jones, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 56

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 157** - Representative Cook moved **SB 157** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lieser, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Noonan, Pease-Lopez, Peppers, Pierson, Pope, Price, Redfield, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 58

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Laszloffy, Lavin, Lynch, Manzella, McKamey, Meyers, Monforton, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Perry, Person, Pinocci, Randall, Regier, Ricci, Schwaderer, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 42

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 171** - Representative Cook moved **SB 171** be concurred in.

**SB 171** - Representative Hertz moved **SB 171**, second reading copy, be amended as follows:

1. Title, page 1, line 25.

**Following:** "APPROPRIATION;"

**Insert:** "CREATING A TAX CREDIT FOR MATCHING SHOES AND EYEGLASSES;"

2. Title, page 2, line 11.

**Following:** the first "DATES"

**Insert:** ", "

**Strike:** "AND"

**Following:** the second "DATES"

**Insert:** ", AND A TERMINATION DATE"

3. Page 10, line 3.

**Following:** line 2

**Insert:** "NEW SECTION. Section 12. Save the employee forever credit. (1) There is a credit against the tax imposed by this chapter for purchases of matching shoes and eyeglasses.

(2) The amount of the credit allowed under subsection (1) is equal to 50% of the purchase price and up to:

(a) \$100 if the eyeglasses and shoes were purchased in Montana;

(b) \$200 if the eyeglasses and shoes were purchased and made in Montana;

(c) \$300 if the eyeglasses and shoes were purchased and made in Montana from recycled material.

(3) The taxpayer is entitled to a refund equal to the amount by which the credit exceeds the taxpayer's tax liability.

(4) The eyeglasses for which a credit may be claimed under this section are not required to contain corrective lenses."

**Renumber:** subsequent sections

4. Page 84, line 29.

**Following:** line 28

**Insert:** "(3) [Section 12] is intended to be codified as an integral part of Title 15, chapter 30, and the provisions of Title 15, chapter 30 apply to [section 12]."

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

5. Page 97, line 17.

**Strike:** "11" through "81"

**Insert:** "12, 26, 27, 50, 72, and 80 through 82"

6. Page 97, line 22.

**Strike:** "11" through "49"

**Insert:** "12, 26, 27, and 50"

7. Page 97, line 24.

**Following:** line 23

**Insert:** "NEW SECTION. **Section 83. Termination.** [Section 12] terminates December 31, 2018."

Amendment **not** adopted as follows:

Yeas: B. Brown, Harris, Hertz, Jones, Lamm, Mandeville, Manzella, McKamey, Meyers, Mortensen, Noland, Pinocci, Ricci, Schwaderer, Staffanson, Tschida, White, Zolnikov.

Total 18

Nays: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Monforton, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 82

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 171** - Representative Z. Brown moved **SB 171**, second reading copy, be amended as follows:

1. Title, page 1, line 30.

**Strike:** "15-32-104, 15-32-106,"

2. Title, page 2, line 5.

**Strike:** "15-30-2319,"

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

3. Title, page 2, line 6.

**Strike:** "15-32-109," through "15-32-203,"

4. Page 43, line 20 through page 44, line 4.

**Strike:** section 43 through section 44 in their entirety

**Renumber:** subsequent sections

5. Page 81, line 1.

**Strike:** line 1

6. Page 81, line 9 through line 13.

**Strike:** line 9 through line 13

7. Page 97, line 17.

**Strike:** "49" through "81"

**Insert:** "47, 69, and 77 through 79"

8. Page 97, line 22.

**Strike:** "49"

**Insert:** "47"

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McConnell, Mehlhoff, Meyers, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Schwaderer, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 42

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin,

Mandeville, Manzella, McCarthy, McClafferty, McKamey, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

Excused: None.

Total 0

Absent or not voting: None.

Total 0



HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

**SB 171** - Representative Cook moved **SB 171** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Dunwell, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Greef, Hagstrom, Harris, Hertz, Hollandsworth, Karjala, Kipp III, Lang, Lavin, Mandeville, McCarthy, McClafferty, McConnell, Meyers, Miller, Monforton, Moore, Mortensen, Noonan, Peppers, Perry, Pinocci, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Tropila, Wagoner, Welborn, Williams, Zolnikov, Mr. Speaker.

Total 57

Nays: Ballance, J. Bennett, Berglee, Court, Curdy, Dudik, Eck, Ellis, Funk, Glimm, Hayman, Hess, Hill, Holmlund, Hunter, Jacobson, Jones, Kelker, Lamm, Laszloffy, Lieser, Lynch, MacDonald, Manzella, McKamey, Mehlhoff, Noland, Olsen, Olszewski, Osmundson, Pease-Lopez, Person, Pierson, Pope, Schreiner, Steenberg, Swanson, Tschida, Webber, White, Wilson, Wittich, Woods.

Total 43

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Lieser moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 90

Nays: B. Brown, Glimm, Lavin, Manzella, Olszewski, Schwaderer, Tschida, Wittich.

Total 8

Excused: None.

Total 0

Absent or not voting: Cuffe, Ehli.

Total 2

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

**THIRD READING OF BILLS**

The Speaker stated: "We're about to vote on a bill that, despite some legal opinions, I was overruled on. In my opinion, we are about to vote on a bill that requires a 2/3rds vote, but I was overruled on that. Because in my opinion this bill is granting judicial immunity. That's been ruled to require a 2/3rds vote in lesser bills, including other bills this session.

With that being said, I am duty bound as the Speaker of the House to record the vote as I was overruled by the House Rules Committee. I want it on the record and in the Journal that I believe this next vote requires a 2/3rds vote despite the body's disagreement."

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**SB 262** concurred in as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 53

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 47

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 293** concurred in as follows:

Yeas: Ballance, J. Bennett, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McKamey, Mehlhoff, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson,

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Pease-Lopez, Peppers, Pinocci, Randall, Redfield, Regier, Ricci, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Tropila, Tschida, Wagoner, Webber, White, Wittich, Zolnikov, Mr. Speaker.  
Total 60

Nays: B. Bennett, Berglee, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Karjala, Kelker, Lieser, MacDonald, McCarthy, McClafferty, McConnell, Meyers, Miller, Noonan, Olsen, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Steenberg, Swanson, Welborn, Williams, Wilson, Woods.  
Total 40

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**MOTIONS**

Representative Eck rose on a **Point of Order**. She stated that after **SB 262** received a majority vote it was important to have on the record that it did pass third reading.

Majority Leader Regier moved **SB 20** be moved from the Committee of the Whole to the Appropriations Committee.  
Majority Leader Regier moved **SB 193** be moved from the Committee of the Whole to the Appropriations Committee.  
Majority Leader Regier moved **SB 194** be moved from the Committee of the Whole to the Appropriations Committee.  
Majority Leader Regier moved **SB 252** be moved from the Committee of the Whole to the Appropriations Committee.  
Majority Leader Regier moved **SB 260** be moved from the Committee of the Whole to the Appropriations Committee.  
Majority Leader Regier moved **SB 264** be moved from the Committee of the Whole to the Appropriations Committee.  
Majority Leader Regier moved **SB 375** be moved from the Committee of the Whole to the Appropriations Committee.  
Majority Leader Regier moved **SB 386** be moved from the Committee of the Whole to the Appropriations Committee.  
Majority Leader Regier moved **SB 410** be moved from the Committee of the Whole to the Appropriations Committee.  
Majority Leader Regier moved **SB 157** be moved from the Committee of the Whole to the Appropriations Committee.  
Majority Leader Regier moved **SB 171** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved the Conference Committee on **HB 2** be dissolved and that a

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Free Conference Committee be appointed. Motion carried. Speaker Knudsen appointed:

4/16/2015

Representative Ballance  
Representative Noonan  
Representative Osmundson

Representative Zolnikov moved that **SB 396** be taken from Federal Relations, Energy, and Telecommunications and brought before the Committee of the Whole, Friday, April 17, 2015.

Motion **passed** as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Court, Cuffe, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Hagstrom, Harris, Hess, Hill, Holmlund, Jacobson, Jones, Karjala, Kelker, Lamm, Laszloffy, Mandeville, Manzella, McCarthy, McConnell, McKamey, Meyers, Monforton, Mortensen, Noland, Olsen, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Staffanson, Steenberg, Tschida, Wagoner, White, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 66

Nays: Berry, Clark, Cook, Curdy, Custer, Funk, Garner, Greef, Hayman, Hertz, Hollandsworth, Hunter, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, McClafferty, Mehlhoff, Miller, Moore, Noonan, Peppers, Pierson, Salomon, Schreiner, Smith, Swanson, Tropila, Webber, Welborn, Williams, Wilson.  
Total 34

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Representative McCarthy moved that **SB 272** be taken from Appropriations and brought before the Committee of the Whole, Friday, April 17, 2015.

Motion **passed** as follows:

Yeas: B. Bennett, Z. Brown, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.  
Total 51

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.  
Total 49

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Representative Harris moved to reconsider action on **SB 411** and that **SB 411** be placed on second reading on Friday, April 17, 2015.

Motion **passed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Dudik, Dunwell, Eck, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Mandeville, Manzella, McCarthy, McConnell, McKamey, Miller, Monforton, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Perry, Pinocci, Redfield, Regier, Ricci, Richmond, Smith, Staffanson, Steenberg, Tschida, Wittich, Zolnikov, Mr. Speaker.  
Total 55

Nays: B. Bennett, Berry, Z. Brown, Clark, Court, Curdy, Custer, Ellis, Fitzpatrick, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McClafferty, Mehlhoff, Meyers, Moore, Pease-Lopez, Peppers, Person, Pierson, Pope, Price, Randall, Salomon, Schreiner, Schwaderer, Shaw, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods.  
Total 45

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Friday, April 17, 2015.  
Motion carried.

House adjourned at 7:54 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
SEVENTY-EIGHTH LEGISLATIVE DAY**

Helena, Montana  
April 17, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Noland. Pledge of Allegiance to the Flag. Roll Call. All members present. Quorum present.

**BILLS** (Welborn, Chair):

4/17/2015

Correctly printed: **SB 20, SB 157, SB 171, SB 193, SB 260, SB 375, SB 386, SJR 24.**

Correctly engrossed: **SB 252, SB 410, SB 418.**

Transmitted to the Senate: **HJR 21, HJR 23, HJR 24, HJR 26, HJR 27, SB 52, SB 180, SB 212, SB 234, SB 262, SB 293, SB 306, SB 308, SB 309, SB 312, SB 326, SB 378, SB 380, SB 393, SB 399, SB 409.**

Signed by the Speaker at 2:55 p.m., April 20, 2015: **HB 145, HB 472, HB 614.**

Signed by the Chief Clerk of the House at 5:00 p.m., April 20, 2015: **HB 145, HB 472, HB 614.**

Signed by the President at 9:40 a.m., April 17, 2015: **HB 337, HB 358, HB 373, HB 379, HB 434, HB 448, HB 450, HB 491, HB 503, HB 516, HB 523, HB 525, HB 533, HB 538, HB 542, HB 550, HB 553, HB 554, HB 606.**

Delivered to the Secretary of State at 8:11 a.m., April 17, 2015: **HJR 7.**

Delivered to the Governor for approval at 9:30 a.m., April 17, 2015: **HB 29, HB 78, HB 180, HB 250, HB 258, HB 284, HB 470, HB 587.**

Delivered to the Governor for approval at 10:32 a.m., April 17, 2015: **HB 337, HB 358, HB 373, HB 379, HB 434, HB 448, HB 450, HB 491, HB 503, HB 516, HB 523, HB 525, HB 533, HB 538, HB 542, HB 550, HB 553, HB 554, HB 606.**

Representative Meyers rose on a **Point of Personal Privilege**. He stated that Native Americans have served in the Military even before they were recognized as citizens, and have the greatest number of service people per capita than any other racial group. He wanted to thank the members of the body for their prayers for servicemen and shared that he has three children currently serving in the armed forces.

**REPORTS OF STANDING COMMITTEES**

**APPROPRIATIONS** (Ballance, Chair):

4/17/2015

**SB 20**, be concurred in. Report adopted.

**SB 157**, be concurred in. Report adopted.

**SB 171**, be concurred in. Report adopted.

**SB 193**, be concurred in. Report adopted.

**SB 252**, be amended as follows:

1. Page 5, line 22.

**Strike:** "IF"

**Insert:** "Except as provided in subsection (5)(c), if"

HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

2. Page 5, line 22 through line 23.

**Strike:** "OF" on line 22 through "IN" on line 23

**Insert:** "apply an amount less than 12.5% of the total oil and natural gas production taxes received by the district in the prior school fiscal year to"

3. Page 5, line 24 through line 25.

**Strike:** "AN" on line 24 through "YEAR" on line 25

4. Page 5, line 27.

**Following:** "PRIOR"

**Insert:** "school"

5. Page 6, line 5.

**Following:** line 5

**Insert:** "(c) The provisions of subsection (5)(b) do not apply to the following:

(i) a district that has a maximum general fund budget of less than \$1 million;

(ii) a district whose oil and natural gas revenue combined with its adopted general fund budget totals 105% or less of its maximum general fund budget;

(iii) a district that has a maximum general fund budget of \$1 million or more and has had an unusual enrollment increase approved by the superintendent of public instruction as provided in 20-9-314 in the year immediately preceding the fiscal year to which subsection (5) of this section would otherwise apply; or (iv) a district that has issued outstanding oil and natural gas revenue bonds. Funds received pursuant to this section must first be applied by the district to payment of debt service obligations for oil and natural gas revenue bonds for the next 12-month period."

6. Page 8, line 4.

**Strike:** "IF"

**Insert:** "Except as provided in subsection (5)(c), if"

7. Page 8, line 4 through line 5.

**Strike:** "OF" on line 4 through "IN" on line 5

**Insert:** "apply an amount less than 12.5% of the total oil and natural gas production taxes received by the district in the prior school fiscal year to"

8. Page 8, line 6 through line 7.

**Strike:** "AN" on line 6 through "YEAR" on line 7

9. Page 8, line 9.

**Following:** "PRIOR"

**Insert:** "school"

10. Page 8, line 17.

**Following:** line 17

**Insert:** "(c) The provisions of subsection (5)(b) do not apply to the following:

(i) a district that has a maximum general fund budget of less than \$1 million;



HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

(ii) a district whose oil and natural gas revenue combined with its adopted general fund budget totals 105% or less of its maximum general fund budget;

(iii) a district that has a maximum general fund budget of \$1 million or more and has had an unusual enrollment increase approved by the superintendent of public instruction as provided in 20-9-314 in the year immediately preceding the fiscal year to which subsection (5) of this section would otherwise apply; or (iv) a district that has issued outstanding oil and natural gas revenue bonds. Funds received pursuant to this section must first be applied by the district to payment of debt service obligations for oil and natural gas revenue bonds for the next 12-month period."

11. Page 9, line 7.

**Strike:** "and" through "20-9-104(6)"

12. Page 10, line 5.

**Strike:** "and" through "20-9-104(6)"

And, as amended, be concurred in. Report adopted.

**SB 260**, be concurred in. Report adopted.

**SB 375**, be concurred in. Report adopted.

**SB 386**, be concurred in. Report adopted.

**SB 410**, be amended as follows:

1. Title, page 1, line 12.

**Following:** "AUTHORITY;"

**Insert:** "PROVIDING A STATUTORY APPROPRIATION;"

**Following:** "15-30-2110"

**Insert:** ", 15-30-2618, 15-31-511, 17-7-502,"

2. Page 1, line 26.

**Following:** line 25

**Insert:** "(1) "Department" means the department of revenue provided for in 2-15-1301."

**Renumber:** subsequent subsections

3. Page 3, line 30 through page 4, line 1.

**Strike:** "set the maximum receivable amount"

**Insert:** "determine the allocation"

4. Page 4, line 1.

**Strike:** "or large district"

**Following:** "based on"

**Strike:** "a"

**Insert:** "the"

HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

5. Page 4, line 2.

**Following:** the first "educators"

**Insert:** "compared"

6. Page 4, line 3.

**Strike:** "or large district"

7. Page 4, line 23.

**Strike:** "DEPARTMENT"

**Insert:** "superintendent of public instruction"

8. Page 4, line 25.

**Following:** "."

**Insert:** "In order to implement and administer the provisions of [sections 1 through 6], the department and the superintendent of public instruction shall exchange taxpayer information and develop policies to prevent the unauthorized disclosure of confidential records and information."

9. Page 4, line 27.

**Strike:** "Appropriations may be made from"

**Insert:** "Money in"

**Following:** "account"

**Insert:** "is statutorily appropriated, as provided in 17-7-502,"

10. Page 9, line 2.

**Following:** "\$3 million"

**Insert:** "or the aggregate limit provided for in subsection (5)(a)(iii)"

11. Page 9, line 3.

**Strike:** "made by taxpayers or"

12. Page 9, line 4.

**Following:** "10% for"

**Strike:** "each"

**Insert:** "the"

13. Page 9, line 5.

**Strike:** "year"

**Insert:** "years"

14. Page 9, line 6.

**Following:** line 5

**Insert:** "(iii) If the aggregate limit is increased in any tax year, the department shall use the new limit as the base aggregate limit for succeeding tax years until a new aggregated limit is established under the provisions of subsection (5)(a)(ii)."

HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

15. Page 9, line 6.

**Strike:** "TAX credits"

**Insert:** "donations"

16. Page 9, line 9 through line 12.

**Strike:** "If a disallowance" on line 9 through "15-1-216." on line 12

17. Page 10, line 11.

**Following:** "\$3 million"

**Insert:** "or the aggregate limit provided for in subsection (5)(a)(iii)"

18. Page 10, line 12.

**Strike:** "claimed by taxpayers or"

19. Page 10, line 13.

**Following:** "10% for"

**Strike:** "each"

**Insert:** "the"

**Strike:** "year"

**Insert:** "years"

20. Page 10, line 14.

**Following:** line 13

**Insert:** "(iii) If the aggregate limit is increased in any tax year, the department shall use the new limit as the base aggregate limit for succeeding tax years until a new aggregated limit is established under the provisions of subsection (5)(a)(ii)."

21. Page 10, line 17 through line 19.

**Strike:** "If a disallowance" on line 17 through "15-1-216." on line 19

22. Page 11, line 23.

**Following:** ";

**Insert:** "and"

23. Page 11, line 24 through line 25.

**Strike:** ": (A)"

24. Page 11, line 26.

**Strike:** "; and"

**Insert:** "."

25. Page 11, line 27 through line 30.

**Strike:** subsection (B) in its entirety

HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

26. Page 19, line 16.

**Following:** line 15

**Insert:** "**Section 24.** Section 15-30-2618, MCA, is amended to read:

**"15-30-2618. Confidentiality of tax records.** (1) Except as provided in 5-12-303, 15-1-106, 17-7-111, and subsections (8) and (9) of this section, in accordance with a proper judicial order, or as otherwise provided by law, it is unlawful to divulge or make known in any manner:

(a) the amount of income or any particulars set forth or disclosed in any individual report or individual return required under this chapter or any other information secured in the administration of this chapter; or

(b) any federal return or federal return information disclosed on any return or report required by rule of the department or under this chapter.

(2) (a) The officers charged with the custody of the reports and returns may not be required to produce them or evidence of anything contained in them in an action or proceeding in a court, except in an action or proceeding:

(i) to which the department is a party under the provisions of this chapter or any other taxing act; or

(ii) on behalf of a party to any action or proceedings under the provisions of this chapter or other taxes when the reports or facts shown by the reports are directly involved in the action or proceedings.

(b) The court may require the production of and may admit in evidence only as much of the reports or of the facts shown by the reports as are pertinent to the action or proceedings.

(3) This section does not prohibit:

(a) the delivery to a taxpayer or the taxpayer's authorized representative of a certified copy of any return or report filed in connection with the taxpayer's tax;

(b) the publication of statistics classified to prevent the identification of particular reports or returns and the items of particular reports or returns; or

(c) the inspection by the attorney general or other legal representative of the state of the report or return of any taxpayer who brings an action to set aside or review the tax based on the report or return or against whom an action or proceeding has been instituted in accordance with the provisions of 15-30-2630.

(4) The department may deliver to a taxpayer's spouse the taxpayer's return or information related to the return for a tax year if the spouse and the taxpayer filed the return with the filing status of married filing separately on the same return. The information being provided to the spouse or reported on the return, including subsequent adjustments or amendments to the return, must be treated in the same manner as if the spouse and the taxpayer filed the return using a joint filing status for that tax year.

(5) Reports and returns must be preserved for at least 3 years and may be preserved until the department orders them to be destroyed.

(6) Any offense against subsections (1) through (5) is punishable by a fine not exceeding \$500. If the offender is an officer or employee of the state, the offender must be dismissed from office or employment and may not hold any public office or public employment in this state for a period of 1 year after dismissal or, in the case of a former officer or employee, for 1 year after conviction.

(7) This section may not be construed to prohibit the department from providing taxpayer return information and information from employers' payroll withholding reports to:

HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

(a) the department of labor and industry to be used for the purpose of investigation and prevention of noncompliance, tax evasion, fraud, and abuse under the unemployment insurance laws; or

(b) the state fund to be used for the purpose of investigation and prevention of noncompliance, fraud, and abuse under the workers' compensation program.

(8) The department may permit the commissioner of internal revenue of the United States or the proper officer of any state imposing a tax upon the incomes of individuals or the authorized representative of either officer to inspect the return of income of any individual or may furnish to the officer or an authorized representative an abstract of the return of income of any individual or supply the officer with information concerning an item of income contained in a return or disclosed by the report of an investigation of the income or return of income of an individual, but the permission may be granted or information furnished only if the statutes of the United States or of the other state grant substantially similar privileges to the proper officer of this state charged with the administration of this chapter.

(9) On written request to the director or a designee of the director, the department shall furnish:

(a) to the department of justice all information necessary to identify those persons qualifying for the additional exemption for blindness pursuant to 15-30-2114(4), for the purpose of enabling the department of justice to administer the provisions of 61-5-105;

(b) to the department of public health and human services information acquired under 15-30-2616, pertaining to an applicant for public assistance, reasonably necessary for the prevention and detection of public assistance fraud and abuse, provided notice to the applicant has been given;

(c) to the department of labor and industry for the purpose of prevention and detection of fraud and abuse in and eligibility for benefits under the unemployment compensation and workers' compensation programs information on whether a taxpayer who is the subject of an ongoing investigation by the department of labor and industry is an employee, an independent contractor, or self-employed;

(d) to the department of fish, wildlife, and parks specific information that is available from income tax returns and required under 87-2-102 to establish the residency requirements of an applicant for hunting and fishing licenses;

(e) to the board of regents information required under 20-26-1111;

(f) to the legislative fiscal analyst and the office of budget and program planning individual income tax information as provided in 5-12-303, 15-1-106, and 17-7-111. The information provided to the office of budget and program planning must be the same as the information provided to the legislative fiscal analyst.

(g) to the department of transportation farm income information based on the most recent income tax return filed by an applicant applying for a refund under 15-70-223 or 15-70-362, provided that notice to the applicant has been given as provided in 15-70-223 and 15-70-362. The information obtained by the department of transportation is subject to the same restrictions on disclosure as are individual income tax returns.

(h) to the commissioner of insurance's office all information necessary for the administration of the small business health insurance tax credit provided for in Title 33, chapter 22, part 20;

(i) to the superintendent of public instruction information required under [section 5]."

**"Section 25.** Section 15-31-511, MCA, is amended to read:

HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

**"15-31-511. Confidentiality of tax records.** (1) Except as provided in this section, in accordance with a proper judicial order, or as otherwise provided by law, it is unlawful to divulge or make known in any manner:

(a) the amount of income or any particulars set forth or disclosed in any return or report required under this chapter or any other information relating to taxation secured in the administration of this chapter; or

(b) any federal return or information in or disclosed on a federal return or report required by law or rule of the department under this chapter.

(2) (a) An officer or employee charged with custody of returns and reports required by this chapter may not be ordered to produce any of them or evidence of anything contained in them in any administrative proceeding or action or proceeding in any court, except:

(i) in an action or proceeding in which the department is a party under the provisions of this chapter; or

(ii) in any other tax proceeding or on behalf of a party to an action or proceeding under the provisions of this chapter when the returns or reports or facts shown in them are directly pertinent to the action or proceeding.

(b) If the production of a return, report, or information contained in them is ordered, the court shall limit production of and the admission of returns, reports, or facts shown in them to the matters directly pertinent to the action or proceeding.

(3) This section does not prohibit:

(a) the delivery of a certified copy of any return or report filed in connection with a return to the taxpayer who filed the return or report or to the taxpayer's authorized representative;

(b) the publication of statistics prepared in a manner that prevents the identification of particular returns, reports, or items from returns or reports;

(c) the inspection of returns and reports by the attorney general or other legal representative of the state in the course of an administrative proceeding or litigation under this chapter;

(d) access to information under subsection (4);

(e) the director of revenue from permitting a representative of the commissioner of internal revenue of the United States or a representative of a proper officer of any state imposing a tax on the income of a taxpayer to inspect the returns or reports of a corporation. The department may also furnish those persons abstracts of income, returns, and reports; information concerning any item in a return or report; and any item disclosed by an investigation of the income or return of a corporation. The director of revenue may not furnish that information to a person representing the United States or another state unless the United States or the other state grants substantially similar privileges to an officer of this state charged with the administration of this chapter.

(f) the disclosure of information to the commissioner of insurance's office that is necessary for the administration of the small business health insurance tax credit provided for in Title 33, chapter 22, part 20.

(4) On written request to the director or a designee of the director, the department shall:

(a) allow the inspection of returns and reports by the legislative auditor, but the information furnished to the legislative auditor is subject to the same restrictions on disclosure outside that office as provided in subsection (1); and

(b) provide corporate income tax and alternative corporate income tax information, including any information that may be required under Title 15, chapter 30, part 33, to the legislative fiscal analyst, as provided in 5-12-303 or 15-1-106, and the office of budget and program planning,

HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

as provided in 15-1-106 or 17-7-111. The information furnished to the legislative fiscal analyst and the office of budget and program planning is subject to the same restrictions on disclosure outside those offices as provided in subsection (1).

(c) furnish to the superintendent of public instruction information required under [section 5].

(5) A person convicted of violating this section shall be fined not to exceed \$500. If a public officer or public employee is convicted of violating this section, the person is dismissed from office or employment and may not hold any public office or public employment in the state for a period of 1 year after dismissal or, in the case of a former officer or employee, for 1 year after conviction."

**Insert: "Section 26.** Section 17-7-502, MCA, is amended to read:

**"17-7-502. Statutory appropriations -- definition -- requisites for validity.** (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-15-247; 2-17-105; 5-11-120; 5-11-407; 5-13-403; 7-4-2502; 10-1-108; 10-1-1202; 10-1-1303; 10-2-603; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-121; 15-1-218; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121; 15-70-101; 15-70-369; 15-70-601; 16-11-509; 17-3-106; 17-3-112; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 18-11-112; 19-3-319; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-8-107; [section 5]; 20-9-534; 20-9-622; 20-26-1503; 22-1-327; 22-3-1004; 23-4-105; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 30-10-1004; 37-43-204; 37-51-501; 39-1-105; 39-71-503; 41-5-2011; 42-2-105; 44-4-1101; 44-12-206; 44-13-102; 53-1-109; 53-1-215; 53-2-208; 53-9-113; 53-24-108; 53-24-206; 60-11-115; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 76-13-150; 76-13-416; 77-1-108; 77-2-362; 80-2-222; 80-4-416; 80-11-518; 81-1-112; 81-7-106; 81-10-103; 82-11-161; 85-20-1504; 85-20-1505; 87-1-603; 90-1-115; 90-1-205; 90-1-504; 90-3-1003; 90-6-331; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates contingently when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 10, Ch. 10, Sp. L. May 2000, secs. 3 and 6, Ch. 481, L. 2003, and sec. 2, Ch. 459, L. 2009, the inclusion of 15-35-108 terminates June 30, 2019; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410 terminates contingently upon the death of the last recipient eligible under 19-6-709(2) for the supplemental benefit provided by 19-6-709; pursuant to sec. 14, Ch. 374, L. 2009, the inclusion of 53-9-113 terminates June 30, 2015; pursuant to sec. 5, Ch. 442, L. 2009, the inclusion of 90-6-331 terminates June 30, 2019; pursuant to sec. 16, Ch. 58, L. 2011, the inclusion of 30-10-1004 terminates June 30, 2017;

HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

pursuant to sec. 6, Ch. 61, L. 2011, the inclusion of 76-13-416 terminates June 30, 2019; pursuant to sec. 13, Ch. 339, L. 2011, the inclusion of 81-1-112 and 81-7-106 terminates June 30, 2017; pursuant to sec. 11(2), Ch. 17, L. 2013, the inclusion of 17-3-112 terminates on occurrence of contingency; pursuant to secs. 3 and 5, Ch. 244, L. 2013, the inclusion of 22-1-327 is effective July 1, 2015, and terminates July 1, 2017; and pursuant to sec. 10, Ch. 413, L. 2013, the inclusion of 2-15-247, 39-1-105, 53-1-215, and 53-2-208 terminates June 30, 2015.)"

**Renumber:** subsequent sections

And, as amended, be concurred in. Report adopted.

**SB 418**, be amended as follows:

1. Title, page 1, line 5.

**Following:** "AN"

**Insert:** "IMMEDIATE"

2. Page 1, line 10.

**Strike:** "On July"

**Insert:** "By June"

**Strike:** "\$1.2"

**Insert:** "\$1.35"

3. Page 1, line 14.

**Strike:** "July 1, 2015"

**Insert:** "on passage and approval"

And, as amended, be concurred in. Report adopted.

**JUDICIARY** (Bennett, Chair):

4/17/2015

**SJR 24**, be concurred in and be placed on the Consent Calendar. Report adopted.

**MESSAGES FROM THE SENATE**

**House bill not** concurred in and returned to the House:

4/16/2015

**HB 576**, introduced by Wittich

**House bills** concurred in and returned to the House:

4/16/2015

**HB 472**, introduced by Jacobson

**HB 479**, introduced by Olszewski

**HB 614**, introduced by Wittich



HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

**House amendments to Senate bills** concurred in:

4/16/2015

**SB 128**, introduced by Hansen  
**SB 169**, introduced by Hamlett  
**SB 249**, introduced by Cohenour  
**SB 280**, introduced by F. Moore  
**SB 289**, introduced by Ankney  
**SB 325**, introduced by Keane  
**SB 349**, introduced by C. Smith  
**SB 355**, introduced by Ankney  
**SB 367**, introduced by Taylor

**HB 2** - The Senate acceded to the request of the House and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on **HB 2**:

4/17/2015

Senator L. Jones, Chair  
Senator Keane  
Senator Keenan

**SB 283** - The Senate failed to concur in the House amendments to **SB 283** and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on **SB 283**:

4/17/2015

Senator Brenden, Chair  
Senator Sales  
Senator Sands

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Glimm in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 28 - Senate Amendments** - Representative Eck moved Senate amendments to **HB 28** be **not** concurred in. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jones, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey,

HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

Mehlhoff, Meyers, Miller, Monforton, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov.

Total 81

Nays: Ballance, Berglee, Berry, Brodehl, B. Brown, Burnett, Flynn, Harris, Hertz, Jacobson, Lamm, Laszloffy, Lavin, Manzella, Mortensen, Staffanson, Tschida, Wittich, Mr. Speaker.

Total 19

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 196 - Senate Amendments** - Representative Webber moved Senate amendments to **HB 196** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 83

Nays: J. Bennett, B. Brown, Burnett, Hagstrom, Hess, Lamm, Manzella, McKamey, Monforton, Mortensen, Tschida, Wittich, Zolnikov.

Total 13

Excused: None.

Total 0

Absent or not voting: Ballance, Eck, Pinocci, Schwaderer.

Total 4

**HB 204 - Governor's Amendments** - Representative Hertz moved Governor's amendments to **HB 204** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill,

HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, Manzella, McCarthy, McClafferty, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 89

Nays: B. Bennett, Hayman, MacDonald, McConnell, McKamey, Olsen, Pease-Lopez, Peppers, Tropila, Wittich.

Total 10

Excused: None.

Total 0

Absent or not voting: Schwaderer.

Total 1

**HB 237 - Senate Amendments** - Representative Olszewski moved Senate amendments to **HB 237** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Burnett, White.

Total 2

Excused: None.

Total 0

Absent or not voting: Ehli, Jones, McClafferty.

Total 3

HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

**HB 270 - Governor's Amendments** - Representative Richmond moved Governor's amendments to **HB 270** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: B. Brown, Monforton, Mortensen, Tschida, White, Wittich.

Total 6

Excused: None.

Total 0

Absent or not voting: Custer.

Total 1

**HB 381 - Senate Amendments** - Representative Burnett moved Senate amendments to **HB 381** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Dudik, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Hunter, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Welborn, White, Williams, Wittich, Zolnikov, Mr. Speaker.

Total 72

Nays: B. Bennett, Z. Brown, Court, Curdy, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Jacobson, Lynch, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pope, Price, Schreiner, Tropila, Webber, Wilson, Woods.

Total 27

Excused: None.

Total 0

HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

Absent or not voting: Salomon.

Total 1

**HB 504 - Senate Amendments** - Representative Hayman moved Senate amendments to **HB 504** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 83

Nays: B. Brown, Burnett, Doane, Hess, Lamm, Manzella, McKamey, Miller, Monforton, Mortensen, Randall, Regier, Ricci, Wagoner, White, Wittich, Zolnikov.

Total 17

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 83** - Representative D. Moore moved **SB 83** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Funk, Garner, Greef, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 60

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Ehli, Fitzpatrick, Flynn, Glimm, Hagstrom, Harris, Hertz, Hess, Jones, Lamm, Laszloffy, Lavin, Manzella, McKamey, Miller, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 40

Excused: None.

Total 0

HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

Absent or not voting: None.

Total 0

**SB 99** -Representative Osmundson moved **SB 99** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Cuffe, Custer, Doane, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jacobson, Karjala, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McCarthy, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Perry, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wittich, Zolnikov, Mr. Speaker.

Total 74

Nays: Burnett, Court, Curdy, Dudik, Dunwell, Ellis, Essmann, Hagstrom, Hayman, Hunter, Jones, Kelker, Kipp III, Lieser, MacDonald, McClafferty, McConnell, Noonan, Pease-Lopez, Peppers, Person, Pierson, Steenberg, Swanson, Wilson, Woods.

Total 26

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 259** - Representative D. Moore moved **SB 259** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pope, Price, Redfield, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 77

Nays: J. Bennett, Brodehl, B. Brown, Burnett, Flynn, Glimm, Harris, Hess, Lamm, Manzella, McKamey, Monforton, Noland, Olszewski, Peppers, Pinocci, Randall, Regier, Schwaderer, Tschida, Wagoner, White, Wittich.

Total 23

Excused: None.

Total 0

HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

Absent or not voting: None.

Total 0

**SB 272** - Representative Mehlhoff moved **SB 272** be concurred in.

**SB 272** - Representative McCarthy moved **SB 272**, second reading copy, be amended as follows:

1. Title, page 1, line 8.

**Strike:** "SCHOOLS AND"

2. Title, page 1, line 9.

**Following:** "FUNDING;"

**Insert:** "PROVIDING AN APPROPRIATION;"

3. Title, page 1, line 11.

**Following:** "DATE"

**Insert:** "AND A TERMINATION DATE"

4. Page 2, line 10 through line 11.

**Strike:** subsection (3) in its entirety

**Renumber:** subsequent subsections

5. Page 2, line 15.

**Strike:** "and schools"

6. Page 2, line 16.

**Strike:** "and schools"

7. Page 2, line 27.

**Strike:** "and schools"

**Strike:** "or school"

8. Page 2, line 29.

**Strike:** "subsection (3)"

**Insert:** "subsections (3) and (4)"

9. Page 3, line 4 through line 5.

**Strike:** "(b) for" through ";" on line 5

**Renumber:** subsequent subsections

HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

10. Page 3, line 10.

**Following:** line 10

**Insert:** "(4) If the money appropriated for Indian immersion programs is insufficient to provide the amounts in subsections (2) and (3), the office of public instruction shall prorate the payments accordingly."

**Renumber:** subsequent subsections

11. Page 3, line 12.

**Strike:** "schools and"

12. Page 4, line 17.

**Insert:** "NEW SECTION. Section 6. Appropriation. There is appropriated from the general fund to the office of public instruction \$45,000 for the biennium beginning July 1, 2015, as a one-time-only appropriation for the purposes described in [sections 1 through 4]."

**Renumber:** subsequent sections

13. Page 4, line 25.

**Following:** line 25

**Insert:** "NEW SECTION. Section 10. Termination. [This act] terminates June 30, 2019."

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: B. Brown, Monforton.

Total 2

Excused: None.

Total 0

Absent or not voting: McClafferty.

Total 1



HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

**SB 272** - Representative Mehlhoff moved **SB 272**, as amended, be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 64

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Manzella, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Tschida, Wagoner, Wittich, Zolnikov.  
Total 36

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 275** - Representative Essmann moved **SB 275** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 57

Nays: B. Bennett, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 43

Excused: None.  
Total 0

HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

Absent or not voting: None.

Total 0

**SB 279** - Representative Mandeville moved **SB 279** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Kipp III, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 40

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 365** - Representative Fitzpatrick moved **SB 365** be concurred in. Motion **failed** as follows:

Yeas: Ballance, Berglee, Berry, Brodehl, Clark, Cook, Cuffe, Custer, Ehli, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Laszloffy, Lavin, Mandeville, McCarthy, Miller, Moore, Noland, Osmundson, Perry, Pierson, Pinocci, Randall, Redfield, Ricci, Richmond, Salomon, Shaw, Wagoner, Zolnikov, Mr. Speaker.

Total 42

Nays: B. Bennett, J. Bennett, B. Brown, Z. Brown, Burnett, Court, Curdy, Doane, Dunwell, Eck, Ellis, Essmann, Fiscus, Funk, Harris, Hayman, Hill, Hunter, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, Manzella, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Mortensen, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Person, Pope, Price, Regier, Schreiner, Schwaderer, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Wittich, Woods.

Total 56

Excused: None.

Total 0

HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

Absent or not voting: Dudik, Staffanson.

Total 2

**SB 387** - Representative White moved **SB 387** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 41

Excused: None.

Total 0

Absent or not voting: Salomon.

Total 1

**SB 411** - Majority Leader Regier moved consideration of **SB 411** be placed at the top of the second reading board. Motion carried.

**SB 411** - Representative Harris moved **SB 411** be concurred in.

**SB 411** - Representative Ballance moved **SB 411**, second reading copy, be amended as follows:

1. Page 1, line 25 through line 26.

**Following:** "2016" on line 25

**Strike:** "1 with no more" on line 25 through "date" on line 26

2. Page 2.

**Following:** line 11

**Insert:** "(iii) one representative of the office of budget and program planning;"

**Renumber:** subsequent subsections

3. Page 2, line 12.

**Strike:** "two representatives"

**Insert:** "one representative"

HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

4. Page 2, line 13.

**Strike:** "two providers"

**Insert:** "one provider"

5. Page 2, line 16.

**Strike:** "one family member or guardian of an individual who is"

**Insert:** "two family members or guardians of individuals who are"

6. Page 2, line 17.

**Strike:** "was"

**Insert:** "were"

**Following:** "years"

**Insert:** ", representing varying viewpoints"

7. Page 2, line 18

**Strike:** subsection (vii) in its entirety

**Insert:** "(viii) one representative of the Montana developmental center workforce;  
(ix) one Jefferson County commissioner; and"

**Renumber:** subsequent subsections

8. Page 2, line 19 through line 20.

**Following:** "2-15-1869" on line 19

**Strike:** "; and" on line 19 through "disabilities" on line 20

9. Page 3, line 2.

**Strike:** "and"

10. Page 3.

**Following:** line 2

**Insert:** "(e) identify potential options for repurposing of the Montana developmental center campus;

(f) recommend workforce planning and transition options for the Montana developmental center workforce; and"

**Renumber:** subsequent subsection

11. Page 10, line 13 through line 14.

**Strike:** "unless" on line 13 through "persons" on line 14

12. Page 10, line 29.

**Following:** "admission"

**Insert:** "may not be made"

13. Page 10, line 30 through Page 11, line 1.

**Following:** "center"

**Strike:** "may not" on line 30 through "persons" on line 1

HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Representative Noonan rose on a **Point of Personal Privilege**. He felt that in the previous day's discussion on **SB 411** some decorum lines were crossed, he cited H 20-20 and Mason's Section 121, 123 and 124 and asked that the members of the body follow these rules during the current day's discussion.

Representative Schwaderer rose on a **Point of Personal Privilege**. He felt that some of his comments in the previous day's discussion crossed a threshold and he apologized for any unstatesman-like behavior.

**SB 411** - Representative Tschida moved for cloture. Motion carried. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 94

HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

Nays: Berry, Lamm, Olsen, Wagoner, Williams.

Total 5

Excused: None.

Total 0

Absent or not voting: Jones.

Total 1

**SB 411** - Representative Harris moved **SB 411**, as amended, be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Doane, Dudik, Dunwell, Eck, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Karjala, Lamm, Lang, Laszloffy, Lieser, Mandeville, Manzella, McCarthy, McConnell, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Perry, Pinocci, Regier, Ricci, Schwaderer, Smith, Staffanson, Steenberg, Tschida, Webber, Wilson, Wittich, Zolnikov, Mr. Speaker.

Total 61

Nays: B. Bennett, Berry, Court, Curdy, Custer, Ellis, Fitzpatrick, Funk, Hayman, Hill, Hunter, Jacobson, Kelker, Kipp III, Lavin, Lynch, MacDonald, McClafferty, Mehlhoff, Moore, Pease-Lopez, Peppers, Person, Pierson, Pope, Price, Randall, Redfield, Richmond, Salomon, Schreiner, Shaw, Swanson, Tropila, Wagoner, Welborn, White, Williams, Woods.

Total 39

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 396** - Representative Zolnikov moved **SB 396** be concurred in.

**SB 396** - Representative Zolnikov moved **SB 396**, second reading copy, be amended as follows:

1. Page 3, line 11.

**Strike:** "FOLLOWING AUTOMOBILE"

**Insert:** "motor vehicle liability"

**Strike:** "REQUIREMENTS APPLY"

**Insert:** "policy must provide"

2. Page 3, line 12.

**Strike:** "THE POLICY MUST PROVIDE"

HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

3. Page 3, line 14.

**Strike:** " "

**Insert:** "; and"

4. Page 3, line 15.

**Strike:** "THE POLICY MUST PROVIDE"

**Strike:** "AS PROVIDED"

**Insert:** "when required"

5. Page 3, line 21.

**Strike:** "FOLLOWING"

**Strike:** "REQUIREMENTS APPLY"

**Insert:** "policy must provide"

6. Page 3, line 22.

**Strike:** "THE POLICY MUST PROVIDE"

7. Page 3, line 23.

**Strike:** " "

**Insert:** "; and"

8. Page 3, line 24.

**Strike:** "THE POLICY MUST PROVIDE"

**Strike:** "AS PROVIDED"

**Insert:** "when required"

9. Page 4, line 30.

**Strike:** "COVERAGE"

**Insert:** "liability or optional coverages"

10. Page 6.

**Following:** line 6

**Insert:** "(5) Nothing in this chapter limits the right of a lender or secured party on a driver's vehicle to require a driver to maintain comprehensive and collision damage coverage for a driver's vehicle or to show evidence of that coverage to the lender or secured party that would cover the period when the driver is logged on to the transportation network carrier's digital network regardless of whether the driver is engaged in a prearranged ride. If the driver fails to maintain the required comprehensive and collision coverage or to show evidence to the lender or secured party of the coverage upon reasonable request by the lender or secured party, the lender or secured party may obtain the coverage at the expense of the driver and is not required to provide disclosure under [section 5].

(6) If a lender or a secured party has a secured interest in a driver's vehicle and a transportation network carrier's insurer makes a payment for a claim for damage to the driver's vehicle that is covered under comprehensive or collision damage coverage held

HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

by the transportation network carrier, the insurer shall issue the payment directly to the vehicle repair shop or jointly to the owner of the vehicle and the primary lender or secured party on the covered vehicle."

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Dudik, Dunwell, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Smith, Staffanson, Swanson, Tschida, Wagoner, Webber, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 86

Nays: Court, Curdy, Eck, Funk, Lynch, McConnell, Mehlhoff, Olsen, Schreiner, Shaw, Steenberg, Tropila, Welborn.

Total 13

Excused: None.

Total 0

Absent or not voting: Noonan.

Total 1

**SB 396** - Representative Hess moved for cloture. Motion carried. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Zolnikov, Mr. Speaker.

Total 90

Nays: Funk, Hayman, Kelker, MacDonald, McClafferty, Olsen, Pease-Lopez, Schreiner, Smith, Woods.

Total 10

Excused: None.

Total 0

**STATE INTERNET/BBS COPY**

1709



HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

Absent or not voting: None.

Total 0

Representative Miller rose on a **Point of Order**. He reminded the body that for Cloture motions members must be in their seats to vote and may not punch a seat mate's button.

**SB 396** - Representative Zolnikov moved **SB 396**, as amended, be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Cuffe, Doane, Dunwell, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McCarthy, McKamey, Meyers, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Perry, Person, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 61

Nays: B. Bennett, Clark, Cook, Court, Curdy, Custer, Dudik, Eck, Ellis, Funk, Garner, Hayman, Hollandsworth, Hunter, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McClafferty, McConnell, Mehlhoff, Miller, Noonan, Olsen, Pease-Lopez, Peppers, Pierson, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Wilson.

Total 39

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 401** - Representative Lynch moved **SB 401** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

Nays: Lamm, Redfield, White, Wittich.

Total 4

Excused: None.

Total 0

Absent or not voting: McClafferty, Olszewski.

Total 2

**SB 402** - Representative Richmond moved **SB 402** be concurred in.

**SB 402** - Representative Richmond moved **SB 402**, second reading copy, be amended as follows:

1. Page 12, line 17 through line 18.

**Strike:** "legislative" on line 17 through "division" on line 18

**Insert:** "governor's office"

2. Page 12, line 20 through line 23.

**Strike:** ":" on line 20 through "(ii)" on line 23

3. Page 13, line 3.

**Strike:** "legislative" through "council."

**Insert:** "council is allocated to the governor's office for administrative purposes only as provided in 2-15-121."

4. Page 15, line 29.

**Strike:** "legislative services division"

**Insert:** "governor's office"

5. Page 16, line 10.

**Strike:** "Title 5, chapter 5"

**Insert:** "Title 2, chapter 15"

6. Page 16, line 11.

**Strike:** "5, chapter 5"

**Insert:** "2, chapter 15"

7. Page 16, line 13 through line 20.

**Strike:** section 18 in its entirety

**Renumber:** subsequent sections

HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

Amendment adopted as follows:

Yeas: Berglee, Berry, Brodehl, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Dudik, Dunwell, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jacobson, Jones, Lang, Laszloffy, Lavin, Lynch, MacDonald, Mandeville, McCarthy, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Swanson, Tschida, Wagoner, Webber, Welborn, White, Woods, Mr. Speaker.

Total 68

Nays: Ballance, B. Bennett, J. Bennett, B. Brown, Z. Brown, Court, Doane, Eck, Harris, Hunter, Karjala, Kelker, Kipp III, Lamm, Lieser, Manzella, McClafferty, McConnell, Monforton, Mortensen, Noland, Olsen, Olszewski, Pinocci, Price, Staffanson, Steenberg, Tropila, Williams, Wilson, Wittich, Zolnikov.

Total 32

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 402** - Representative Steenberg moved **SB 402**, second reading copy, be amended as follows:

1. Title, page 1, line 12.

**Strike:** "BEFORE" through "2025"

2. Title, page 1, line 17.

**Following:** "DISTRICTS,"

**Insert:** "A PORTION TO CERTAIN TRIBAL GOVERNMENTS,"

3. Title, page 1, line 20 through line 22.

**Strike:** "GRANTING" on line 20 through "CIRCUMSTANCES;" on line 22

4. Title, page 1, line 29.

**Strike:** "ATTACHED" through "OFFICE"

5. Title, page 2, line 7.

**Strike:** "SECTION"

**Insert:** "SECTIONS"

**Following:** "15-10-420"

**Insert:** "AND 90-1-135"

HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

6. Page 2, line 21.

**Strike:** "prior" through "2025"

7. Page 2, line 23.

**Following:** "special districts,"

**Insert:** "affected tribal governments,"

8. Page 2, line 25.

**Strike:** "prior" through "2025,"

9. Page 2, line 28.

**Strike:** "prior" through "2025,"

10. Page 2, line 29.

**Strike:** "prior" through "2025"

11. Page 3, line 5.

**Strike:** "but not" through "1980"

12. Page 3, line 16.

**Strike:** "a tribal government,"

13. Page 3, line 23.

**Following:** "Montana"

**Insert:** "within a 100-mile radius of a county where a coal-fired generating unit or units are located and that is affected by the retirement of a coal-fired generating unit or units"

14. Page 3, line 26 through line 27.

**Strike:** "prior" on line 26 through "2025" on line 27

15. Page 4, line 8.

**Strike:** "(a)"

16. Page 4, line 10.

**Strike:** "on or before November 30, 2025"

17. Page 4, line 13 through line 15.

**Strike:** subsection (b) in its entirety

18. Page 4, line 16.

**Strike:** "If" through "2025, in"

**Insert:** "In"

HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

19. Page 4, line 28.

**Strike:** "If" through "2025, in"

**Insert:** "In"

20. Page 5, line 4.

**Strike:** "If" through "2025, in"

**Insert:** "In"

21. Page 5, line 10.

**Strike:** "If" through "2025, in"

**Insert:** "In"

22. Page 5, line 16.

**Strike:** "If" through "2025, in"

**Insert:** "In"

23. Page 5, line 22.

**Strike:** "If" through "2025, in"

**Insert:** "In"

24. Page 6, line 2.

**Strike:** "prior" through "2025,"

25. Page 6, line 7.

**Strike:** "if the unit" through "2025, or"

26. Page 6, line 15.

**Strike:** "25%"

**Insert:** "20%"

27. Page 6, line 18.

**Strike:** "25%"

**Insert:** "20%"

28. Page 6, line 20.

**Strike:** "25%"

**Insert:** "20%"

29. Page 6, line 21.

**Following:** "[section 9];"

**Strike:** "and"

30. Page 6, line 22.

**Strike:** "25%"

**Insert:** "20%"

HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

**Following:** "fund"

**Insert:** "; and"

(e) 20% of all money received pursuant to subsection (1) must be deposited in the appropriate special revenue account established in 90-1-135 and used in accordance with [section 10]"

31. Page 7, line 21.

**Strike:** line 21 in its entirety

**Renumber:** subsequent subsections

32. Page 8, line 29 through page 9, line 26.

**Strike:** section 10 in its entirety

**"NEW SECTION. Section 10. Cooperation between state and coal county tribal government.** The state-tribal economic development commission established in 90-1-131, in coordination with the state director of Indian affairs provided for in 2-15-217 and a tribal government as defined in [section 3], shall determine how to distribute an impact fee to affected tribal governments to compensate for impacts by the retirement of a coal-fired generating unit or units.

33. Page 15.

**Following:** line 26

**Insert:** "Section 15. Section 90-1-135, MCA, is amended to read:

**"90-1-135. Special revenue accounts.** (1) There is an account in the state treasury for the receipt of state and private funds and an account in the state treasury for the receipt of federal funds for expenditure by the state-tribal economic development commission established in 90-1-131.

(2) ~~Money~~ Except as provided in subsection (4), money in the accounts established in subsection (1) must be used to pay:

- (a) the commission's administrative costs;
- (b) the salary, benefits, and administrative expenses of the tribal business center coordinator and the federal grants coordinator; and
- (c) the costs of conducting or commissioning and periodically updating or otherwise modifying a comprehensive assessment of economic development needs and priorities on each of the Indian reservations in the state.

(3) ~~Money~~ Except as provided in subsection (4), money in the accounts that is not expended for the purposes identified in subsection (2) may be used for other purposes that the commission considers prudent or necessary.

(4) Money deposited in the appropriate account in accordance with [section 6(2)(e)] must be used in accordance with [section 10].

~~(4)~~(5) Interest and income earned on the money in the accounts must be deposited in the accounts for the commission's use and in accordance with subsection (4)."

**Renumber:** subsequent sections

HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Burnett, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Hayman, Hill, Hunter, Karjala, Kelker, Kipp III, Lieser, MacDonald, McCarthy, McClafferty, McConnell, Meyers, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Pierson, Pope, Price, Steenberg, Tropila, Tschida, Webber, Williams, Wilson, Wittich, Woods, Zolnikov.  
Total 39

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McKamey, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Osmundson, Person, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Swanson, Wagoner, Welborn, White, Mr. Speaker.  
Total 60

Excused: None.  
Total 0

Absent or not voting: Flynn.  
Total 1

**SB 402** - Representative Lavin moved for cloture.

The Chair ruled the motion Out of Order.

**SB 402** - Representative Richmond moved **SB 402**, as amended, be concurred in. Motion **failed** as follows:

Yeas: Berry, Clark, Cook, Cuffe, Custer, Dudik, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Hagstrom, Harris, Hertz, Hollandsworth, Holmlund, Jacobson, Lang, Lynch, Mandeville, McClafferty, Mehlhoff, Meyers, Miller, Moore, Noonan, Osmundson, Perry, Person, Pierson, Randall, Redfield, Regier, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Swanson, Welborn, White.  
Total 43

Nays: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Court, Curdy, Doane, Dunwell, Eck, Ehli, Ellis, Flynn, Glimm, Greef, Hayman, Hess, Hill, Hunter, Jones, Karjala, Kelker, Kipp III, Lamm, Laszloffy, Lavin, Lieser, MacDonald, Manzella, McCarthy, McConnell, McKamey, Monforton, Mortensen, Noland, Olsen, Olszewski, Pease-Lopez, Peppers, Pinocci, Pope, Price, Ricci, Steenberg, Tropila, Tschida, Wagoner, Webber, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 57

HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Glimm moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: Cuffe, Custer, Essmann, Fitzpatrick, Hertz, Miller, Wagoner.

Total 7

Excused: None.

Total 0

Absent or not voting: Meyers.

Total 1

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HJR 21** adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Regier,



HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 91

Nays: Cook, Fitzpatrick, Lavin, Monforton, Redfield, Ricci, Welborn, Wittich.  
Total 8

Excused: None.  
Total 0

Absent or not voting: Pinocci.  
Total 1

**HJR 23** adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Dunwell, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McCarthy, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Perry, Person, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 65

Nays: Z. Brown, Court, Curdy, Dudik, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Pierson, Pope, Price, Schreiner, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 34

Excused: None.  
Total 0

Absent or not voting: Pinocci.  
Total 1

**HJR 24** adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Ricci, Richmond, Salomon, Schreiner,

HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 87

Nays: Burnett, Essmann, Fiscus, Flynn, Harris, McKamey, Meyers, Monforton, Mortensen, Regier, Tschida, Welborn, Wittich.  
Total 13

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HJR 26** adopted as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 73

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Cook, Doane, Ehli, Essmann, Flynn, Glimm, Hagstrom, Harris, Hess, Jones, Lamm, Manzella, McKamey, Meyers, Monforton, Noland, Pinocci, Randall, Regier, Staffanson, Wittich, Zolnikov.  
Total 27

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HJR 27** adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland,

HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson,

Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner,  
Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner,  
Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 98

Nays: Dudik, Hayman.  
Total 2

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 306** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook,  
Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick,  
Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth,  
Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin,  
Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey,  
Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski,  
Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall,  
Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson,  
Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson,  
Woods, Zolnikov, Mr. Speaker.  
Total 95

Nays: B. Brown, Cuffe, Glimm, Olsen, Wittich.  
Total 5

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

**SB 308** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Custer, Doane, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella,

McCarthy, McKamey, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Steenberg, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 59

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Dudik, Dunwell, Eck, Essmann, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, MacDonald, McClafferty, McConnell, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pope, Price, Salomon, Schreiner, Shaw, Smith, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 309** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 97

Nays: Lamm, Randall, Redfield.  
Total 3

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

**SB 312** concurred in as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Clark, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Funk, Garner, Greef, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Mr. Speaker.

Total 64

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Cook, Cuffe, Ehli, Fitzpatrick, Flynn, Glimm, Hagstrom, Harris, Hertz, Hess, Lamm, Manzella, McKamey, Miller, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov.

Total 36

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 326** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Ellis, McKamey.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

**SB 378** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 380** concurred in as follows:

Yeas: B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.  
Total 86

Nays: Ballance, J. Bennett, Brodehl, Burnett, Cuffe, Glimm, Hess, Jones, Lamm, Manzella, Pinocci, Tschida, Wagoner, Zolnikov.  
Total 14

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

**SB 393** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: B. Brown, Essmann, Lamm, McKamey, Wittich.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 409** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Olsen.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

**SB 52** concurred in as follows:

Yeas: Ballance, B. Bennett, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, White, Williams, Wilson, Woods, Mr.

Speaker.

Total 73

Nays: J. Bennett, Berglee, Brodehl, B. Brown, Doane, Flynn, Harris, Hess, Lamm, Laszloffy, Mandeville, McKamey, Meyers, Miller, Monforton, Mortensen, Olszewski, Randall, Redfield, Regier, Ricci, Schwaderer, Tschida, Wagoner, Welborn, Wittich, Zolnikov.

Total 27

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 180** concurred in as follows:

Yeas: Ballance, B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Funk, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Moore, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 68

Nays: J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Essmann, Flynn, Garner, Glimm, Harris, Hess, Jones, Lamm, Laszloffy, Lavin, Mandeville, Manzella, Meyers, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Ricci, Wagoner, White, Wittich, Zolnikov.

Total 32

Excused: None.

Total 0

Absent or not voting: None.

Total 0



HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

**SB 212** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 234** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 99

Nays: Ellis.  
Total 1

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

**SB 399** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**MOTIONS**

Majority Leader Regier moved **SB 411** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved to appoint a Conference Committee on **HB 28** and request the Senate to appoint a like committee. Motion carried. Speaker Knudsen appointed:

4/17/2015

Representative Eck  
Representative Redfield  
Representative Schwaderer

Majority Leader Regier moved the House accede to the request of the Senate and appoint a **Free** Conference Committee on **SB 283**. Motion carried. Speaker Knudsen appointed:

4/17/2015

Representative Essmann  
Representative MacDonald  
Representative Mandeville

HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

Majority Leader Regier moved that **SB 244** be taken from Business and Labor and brought before the Committee of the Whole, Saturday, April 18, 2015.

Motion **passed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Kipp III, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McCarthy, McKamey, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Osmundson, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Smith, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 57

Nays: B. Bennett, Z. Brown, Clark, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Hayman, Hill, Hunter, Karjala, Kelker, Lieser, Lynch, MacDonald, McClafferty, McConnell, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pope, Price, Salomon, Schreiner, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 40

Excused: None.

Total 0

Absent or not voting: Hertz, Meyers, Olszewski.

Total 3

**SPECIAL ORDERS OF THE DAY**

Representative Hill introduced the Lewis and Clark Peace Choir from Missoula, Montana, who performed a medley of music from around the world. The children were awarded honorary memberships to the Montana House of Representatives.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

The Speaker announced a Joint Resolution had been placed on the Consent Calendar. The bill would be posted on the board for one legislative day. During the following day's session, under Order of Business # 11, Special Orders of the Day, he would ask for questions. No debate is allowed. If there are no objections, the bill will be placed on third reading on Monday, April 20, 2015.

The Speaker stated that if any legislator objected to the bill being placed on the Consent Calendar, the bill will be placed on second reading and proceed through the normal process. Written objections should be given to the Chief Clerk.

HOUSE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - APRIL 17, 2015

Majority Leader Regier moved that the House adjourn until 8:00 a.m., Saturday, April 18, 2015.  
Motion carried.

House adjourned at 5:18 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
SEVENTY-NINTH LEGISLATIVE DAY**

Helena, Montana  
April 18, 2015

House Chambers  
State Capitol

House convened at 8:00 a.m. Mr. Speaker presiding. Invocation by Representative Ehli. Pledge of Allegiance to the Flag. Roll Call. All members present, except Representative Wittich, excused. Quorum present.

**BILLS** (Welborn, Chair): 4/18/2015

Correctly printed: **SB 411**.

Correctly enrolled: **HB 89, HB 154, HB 196, HB 237, HB 381, HB 504**.

Transmitted to the Senate: **SB 20, SB 83, SB 99, SB 157, SB 171, SB 193, SB 259, SB 260, SB 279, SB 375, SB 386, SB 387, SB 401**.

Signed by the Speaker at 3:00 p.m., April 20, 2015: **HB 479**.

Signed by the Chief Clerk of the House at 5:00 p.m., April 20, 2015: **HB 479**.

**REPORTS OF STANDING COMMITTEES**

**APPROPRIATIONS** (Ballance, Chair): 4/17/2015  
**SB 411**, be concurred in. Report adopted.

**MESSAGES FROM THE SENATE**

**House bill not** concurred in and returned to the House: 4/17/2015

**HB 322**, introduced by D. Jones

**House bills** concurred in as amended and returned to the House for concurrence in Senate amendments:

4/17/2015

**HB 11**, introduced by Cuffe

**HB 114**, introduced by Miller

**HB 115**, introduced by Funk

**HB 123**, introduced by D. Jones

**HB 389**, introduced by Essmann

**House bills** concurred in and returned to the House: 4/17/2015

**HB 89**, introduced by Dudik

**HB 154**, introduced by Hollandsworth

HOUSE JOURNAL  
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 18, 2015

**House amendments to Senate bills** concurred in:

4/17/2015

**SB 93**, introduced by Connell  
**SB 192**, introduced by Driscoll  
**SB 258**, introduced by Hoven

**MESSAGES FROM THE GOVERNOR**

April 17, 2015

The Honorable Austin Knudsen  
Speaker of the House  
State Capitol  
Helena, Montana 59620

Dear Speaker Knudsen:

Please be informed that I have signed **House Bill 101** sponsored by Representative Steenberg, **House Bill 557** sponsored by Representative Harris, and **House Bill 564** sponsored by Representative Person on April 17, 2015.

These bills were delivered to the Secretary of State's Office today.

I have vetoed **House Bill 290** sponsored by Representative White and **House Bill 584** sponsored by Representative Pinocci.

Sincerely,

STEVE BULLOCK  
Governor

**FIRST READING AND COMMITMENT OF BILLS**

The following House joint resolution was introduced, read first time, and referred to committee:

**HJR 33**, introduced by A. Olsen, B. Brown, J. Ellis, M. Funk, D. Lamm, T. Manzella, W. McKamey, K. Swanson, S. Webber, referred to Agriculture.

The following House resolution was introduced, read first time, and referred to committee:

**HR 3**, introduced by M. Cuffe, referred to Natural Resources.

HOUSE JOURNAL  
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 18, 2015

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Redfield in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 24 - Senate Amendments** - Representative Schreiner moved Senate amendments to **HB 24** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.  
Total 79

Nays: J. Bennett, B. Brown, Burnett, Cuffe, Garner, Glimm, Hagstrom, Jones, Manzella, McKamey, Monforton, Mortensen, Noland, Olsen, Pierson, Schwaderer, Tschida, Wagoner, White, Wittich, Zolnikov.  
Total 21

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 306 - Governor's Amendments** - Representative Eck moved Governor's amendments to **HB 306** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Richmond, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.  
Total 68

HOUSE JOURNAL  
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 18, 2015

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Doane, Fiscus, Flynn, Glimm, Harris, Hess, Lamm, Laszloffy, Lavin, Manzella, Monforton, Mortensen, Noland, Pinocci, Randall, Regier, Ricci, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 32

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 359 - Senate Amendments** - Representative Lieser moved Senate amendments to **HB 359** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Hess, Monforton, Tschida, Wagoner, White.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 517 - Senate Amendments** - Representative Essmann moved Senate amendments to **HB 517** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland,



HOUSE JOURNAL  
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 18, 2015

Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Hess, Wagoner.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 188 - Governor's Amendments** - Representative White moved Governor's amendments to **SB 188** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Wittich.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 252** - Representative Ballance moved **SB 252** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang,

HOUSE JOURNAL  
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 18, 2015

Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Glimm, Monforton, Pinocci, Tschida, Wittich.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 354** - Representative Osmundson moved **SB 354** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Dudik, Ehli, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Perry, Person, Pierson, Pinocci, Pope, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Tschida, Wagoner, Welborn, White, Wilson, Mr. Speaker.

Total 78

Nays: B. Bennett, Court, Curdy, Dunwell, Eck, Ellis, Essmann, MacDonald, McConnell, Monforton, Olsen, Pease-Lopez, Peppers, Price, Schreiner, Swanson, Tropila, Webber, Williams, Wittich, Woods, Zolnikov.

Total 22

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 410** - Representative Ballance moved **SB 410** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom,

HOUSE JOURNAL  
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 18, 2015

Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Harris, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 42

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 418** - Representative Osmundson moved **SB 418** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Mortensen, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 88

Nays: B. Brown, Essmann, Glimm, Monforton, Moore, Noland, Olszewski, Schwaderer, White, Wittich, Zolnikov.

Total 11

Excused: None.

Total 0

Absent or not voting: Cuffe.

Total 1

HOUSE JOURNAL  
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 18, 2015

**SB 244** - Representative Cuffe moved **SB 244** be concurred in.

**SB 244** - Representative Mandeville moved **SB 244**, second reading copy, be amended as follows:

1. Title, page 1, line 7 through line 8.

**Strike:** "REVISING" on line 7 through "15-65-121, MCA;" on line 8

**Insert:** "PROVIDING AN APPROPRIATION;"

2. Page 1, line 13.

**Strike:** "-- funding"

3. Page 1, line 18 through line 19.

**Strike:** subsection (3) in its entirety

4. Page 1, line 21 through page 3, line 13.

**Strike:** section 2 in its entirety

**Insert:** "NEW SECTION. **Section 2. Appropriation.** There is appropriated \$306,000 from the general fund to the department of commerce for the biennium beginning July 1, 2015, to establish a trade center in Calgary, Alberta, Canada, to promote trade and tourism between the residents of Canada and Montana."

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Cuffe, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jones, Karjala, Kelker, Kipp III, Lamm, Laszloffy, Lavin, Lieser, Lynch, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Salomon, Schwaderer, Smith, Steenberg, Swanson, Tschida, Wagoner, White, Williams, Wittich, Zolnikov, Mr. Speaker.

Total 76

Nays: Burnett, Court, Curdy, Essmann, Funk, Harris, Hayman, Jacobson, Lang, MacDonald, Manzella, Mehlhoff, Pease-Lopez, Peppers, Redfield, Richmond, Schreiner, Shaw, Staffanson, Tropila, Webber, Welborn, Wilson, Woods.

Total 24

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 18, 2015

**SB 244** - Representative Schwaderer moved for cloture.  
Cloture was not in order.

**SB 244** - Representative Cuffe moved **SB 244**, as amended, be concurred in. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Cook, Cuffe, Doane, Ehli, Fiscus, Fitzpatrick, Garner, Glimm, Greef, Hertz, Hess, Hill, Holmlund, Jacobson, Kipp III, Lamm, Laszloffy, Lavin, Lieser, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Mortensen, Noland, Olsen, Olszewski, Person, Pinocci, Randall, Regier, Ricci, Schwaderer, Tschida, Wittich, Zolnikov, Mr. Speaker.  
Total 43

Nays: B. Bennett, Berry, Z. Brown, Burnett, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Flynn, Funk, Hagstrom, Harris, Hayman, Hollandsworth, Hunter, Jones, Karjala, Kelker, Lang, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Miller, Monforton, Moore, Noonan, Osmundson, Pease-Lopez, Peppers, Perry, Pierson, Pope, Price, Redfield, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods.  
Total 57

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Redfield moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 94

Nays: Cuffe, Essmann, Hertz, Lynch, McKamey.  
Total 5

HOUSE JOURNAL  
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 18, 2015

Excused: Wittich.

Total 1

Absent or not voting: None.

Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 196** passed as follows:

Yeas: B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Greef, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 81

Nays: Ballance, J. Bennett, B. Brown, Burnett, Fiscus, Glimm, Hagstrom, Hess, Lang, Laszloffy, Manzella, Monforton, Mortensen, Noland, Pinocci, Tschida, Wagoner, Zolnikov.

Total 18

Excused: Wittich.

Total 1

Absent or not voting: None.

Total 0

**HB 204** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Karjala, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, Manzella, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Perry, Pierson, Pinocci, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Tschida, Wagoner, Webber, Welborn, White, Williams, Woods, Zolnikov, Mr. Speaker.

Total 77

HOUSE JOURNAL  
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 18, 2015

Nays: B. Bennett, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Kelker, MacDonald, McCarthy, McConnell, Olsen, Pease-Lopez, Peppers, Person, Pope, Schreiner, Swanson, Tropila, Wilson.

Total 22

Excused: Wittich.

Total 1

Absent or not voting: None.

Total 0

**HB 237** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Burnett, Pinocci.

Total 2

Excused: Wittich.

Total 1

Absent or not voting: None.

Total 0

**HB 270** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dunwell, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez,

HOUSE JOURNAL  
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 18, 2015

Peppers, Perry, Person, Pierson, Pinocci, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Zolnikov, Mr. Speaker.  
Total 90

Nays: Dudik, Eck, Hunter, Kipp III, Monforton, Mortensen, Olsen, Pope, Woods.  
Total 9

Excused: Wittich.  
Total 1

Absent or not voting: None.  
Total 0

**HB 381** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Swanson, Tschida, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.  
Total 62

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Tropila, Webber, Williams, Wilson, Woods.  
Total 37

Excused: Wittich.  
Total 1

Absent or not voting: None.  
Total 0

**HB 504** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price,



HOUSE JOURNAL  
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 18, 2015

Redfield, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.  
Total 77

Nays: J. Bennett, B. Brown, Burnett, Flynn, Glimm, Hess, Jones, Lamm, Manzella, McKamey, Miller, Monforton, Mortensen, Noland, Randall, Regier, Ricci, Schwaderer, Tschida, Wagoner, White, Zolnikov.  
Total 22

Excused: Wittich.  
Total 1

Absent or not voting: None.  
Total 0

**SB 83** concurred in as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Greef, Hagstrom, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Moore, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Mr. Speaker.  
Total 60

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Harris, Hertz, Hess, Lamm, Laszloffy, Lavin, Manzella, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Zolnikov.  
Total 39

Excused: Wittich.  
Total 1

Absent or not voting: None.  
Total 0

**SB 99** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Custer, Doane, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jacobson, Jones, Karjala, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Meyers, Miller, Moore, Mortensen, Noland, Olszewski, Osmundson, Peppers, Perry, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner,

HOUSE JOURNAL  
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 18, 2015

Schwaderer, Shaw, Staffanson, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Zolnikov, Mr. Speaker.

Total 76

Nays: Burnett, Curdy, Dudik, Dunwell, Ellis, Essmann, Hayman, Hunter, Kelker, Kipp III, MacDonald, McClafferty, Mehlhoff, Monforton, Noonan, Olsen, Pease-Lopez, Person, Smith, Steenberg, Williams, Wilson, Woods.

Total 23

Excused: Wittich.

Total 1

Absent or not voting: None.

Total 0

**SB 259** concurred in as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 81

Nays: J. Bennett, Brodehl, B. Brown, Burnett, Flynn, Glimm, Harris, Hess, Lamm, Manzella, Monforton, Noland, Olszewski, Pinocci, Randall, Regier, Wagoner, White.

Total 18

Excused: Wittich.

Total 1

Absent or not voting: None.

Total 0

**SB 275 not** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski,

HOUSE JOURNAL  
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 18, 2015

Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.  
Total 56

Nays: B. Bennett, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 43

Excused: Wittich.  
Total 1

Absent or not voting: None.  
Total 0

**SB 279** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Kipp III, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.  
Total 59

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Greef, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 40

Excused: Wittich.  
Total 1

Absent or not voting: None.  
Total 0

**SB 387** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland,

HOUSE JOURNAL  
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 18, 2015

Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.  
Total 58

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Excused: Wittich.  
Total 1

Absent or not voting: None.  
Total 0

**SB 401** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 95

Nays: Lamm, Meyers, Redfield, White.  
Total 4

Excused: Wittich.  
Total 1

Absent or not voting: None.  
Total 0

**SB 20** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang,

HOUSE JOURNAL  
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 18, 2015

Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 95

Nays: Burnett, Hayman, Monforton, Zolnikov.

Total 4

Excused: Wittich.

Total 1

Absent or not voting: None.

Total 0

**SB 260** concurred in as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jacobson, Jones, Karjala, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Mandeville, Manzella, McCarthy, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Peppers, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Tropila, Tschida, Wagoner, Welborn, White, Williams, Zolnikov, Mr. Speaker.

Total 76

Nays: J. Bennett, Court, Curdy, Dudik, Dunwell, Eck, Essmann, Funk, Hayman, Hunter, Kelker, Lynch, MacDonald, McClafferty, Olsen, Pease-Lopez, Perry, Person, Schreiner, Swanson, Webber, Wilson, Woods.

Total 23

Excused: Wittich.

Total 1

Absent or not voting: None.

Total 0

**SB 375** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, Z. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jones, Lamm, Laszloffy, Lavin, Mandeville,

HOUSE JOURNAL  
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 18, 2015

Manzella, McCarthy, McKamey, Miller, Monforton, Mortensen, Noland, Noonan, Olszewski, Osmundson, Person, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Steenberg, Tschida, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.

Total 56

Nays: Berry, B. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Greef, Hayman, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Olsen, Pease-Lopez, Peppers, Perry, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Staffanson, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 43

Excused: Wittich.

Total 1

Absent or not voting: None.

Total 0

**SB 386** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Zolnikov, Mr. Speaker.

Total 95

Nays: Brodehl, Olsen, Regier, Woods.

Total 4

Excused: Wittich.

Total 1

Absent or not voting: None.

Total 0

**SB 193** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Kipp III, Lang,

HOUSE JOURNAL  
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 18, 2015

Laszloffy, Lavin, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Perry, Pierson, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 67

Nays: Berglee, B. Brown, Essmann, Glimm, Harris, Hayman, Hertz, Hess, Jones, Karjala, Kelker, Lamm, Lieser, Lynch, MacDonald, Manzella, McKamey, Meyers, Miller, Monforton, Noonan, Pease-Lopez, Peppers, Person, Pinocci, Pope, Price, Schwaderer, Steenberg, Tschida, Wagoner, White.

Total 32

Excused: Wittich.

Total 1

Absent or not voting: None.

Total 0

**SB 171** concurred in as follows:

Yeas: Ballance, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Dunwell, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jacobson, Jones, Lang, Lavin, Mandeville, Manzella, McCarthy, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Peppers, Pinocci, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Tropila, Tschida, Wagoner, Welborn, Woods, Zolnikov, Mr. Speaker.

Total 64

Nays: B. Bennett, J. Bennett, Berglee, B. Brown, Court, Curdy, Dudik, Eck, Ellis, Funk, Hayman, Hunter, Karjala, Kelker, Kipp III, Lamm, Laszloffy, Lieser, Lynch, MacDonald, McClafferty, McConnell, Olszewski, Pease-Lopez, Perry, Person, Pierson, Pope, Schreiner, Steenberg, Swanson, Webber, White, Williams, Wilson.

Total 35

Excused: Wittich.

Total 1

Absent or not voting: None.

Total 0

**SB 157** concurred in as follows:

Yeas: Ballance, B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Greef, Hagstrom, Hayman,

HOUSE JOURNAL  
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 18, 2015

Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lieser, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Noonan, Osmundson, Pease-Lopez, Peppers, Pierson, Pope, Price, Redfield, Richmond, Salomon, Shaw, Smith, Staffanson, Steenberg, Tropila, Webber, Welborn, White, Williams, Wilson, Woods.

Total 63

Nays: J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Garner, Glimm, Harris, Hertz, Hess, Lamm, Lang, Laszloffy, Lavin, Lynch, Manzella, Monforton, Moore, Mortensen, Noland, Olsen, Olszewski, Perry, Person, Pinocci, Randall, Regier, Ricci, Schreiner, Schwaderer, Swanson, Tschida, Wagoner, Zolnikov, Mr. Speaker.

Total 36

Excused: Wittich.

Total 1

Absent or not voting: None.

Total 0

**SPECIAL ORDERS OF THE DAY**

Representative Clark thanked the pages for their service.

**SJR 24** was put on the Consent Calendar and without objection will be on placed on third reading, Monday, April 20, 2015.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Monday, April 20, 2015.  
Motion carried.

House adjourned at 9:16 a.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House



**HOUSE JOURNAL  
64TH LEGISLATURE  
EIGHTIETH LEGISLATIVE DAY**

Helena, Montana  
April 20, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Olszewski. Pledge of Allegiance to the Flag. Roll Call. All members present. Quorum present.

**BILLS** (Welborn, Chair):

4/20/2015

Correctly enrolled: **HB 322, HB 356, HB 359, HB 411, HB 483, HB 506, HB 517.**

Transmitted to the Senate: **SB 252, SB 272, SB 354, SB 396, SB 410, SB 411, SB 418, SJR 24.**

Signed by the Speaker at 3:10 p.m., April 20, 2015: **HB 154, HB 196, HB 381, HB 504.**

Signed by the Chief Clerk of the House at 5:00 p.m., April 20, 2015: **HB 154, HB 196, HB 381, HB 504.**

**LEGISLATIVE ADMINISTRATION** (Welborn, Chair):

4/20/2015

MR. SPEAKER:

We, your committee on Legislative Administration recommend that employment of the following pages of the House be ceased as of 12:00 p.m., Saturday, April 18, 2015:

Ben Roeder, Fort Shaw  
Keller Balsam, Helena  
Jaegen Hughes, Stanford  
Neil Wittorff, Shepherd  
Daniel Lurie, Roundup

and recommend that the following pages of the House be employed as of 1:00 p.m., Monday, April 20, 2015:

Wyatt Zylawy, Alberton  
Tom Story, Emigrant  
Madison Purdy, Victor  
Michael Walsh, Twin Bridges  
Raynor Stene, Joliet  
Daniel Strobel, Absarokee  
Katy Lindberg, Belgrade

Report Adopted.

HOUSE JOURNAL  
EIGHTIETH LEGISLATIVE DAY - APRIL 20, 2015

**MESSAGES FROM THE SENATE**

**House bills** concurred in as amended and returned to the House for concurrence in Senate amendments:

4/18/2015

**HB 6**, introduced by Cuffe  
**HB 7**, introduced by Cuffe  
**HB 9**, introduced by Cuffe  
**HB 219**, introduced by Essmann  
**HB 487**, introduced by D. Jones  
**HB 512**, introduced by Mortensen

**House bills** concurred in and returned to the House:

4/18/2015

**HB 322**, introduced by D. Jones  
**HB 356**, introduced by D. Jones  
**HB 411**, introduced by Richmond  
**HB 483**, introduced by Lieser  
**HB 506**, introduced by D. Moore

**House amendments to Senate bill NOT** concurred in:

4/18/2015

**SB 353**, introduced by Ripley

**House amendments to Senate bills** concurred in:

4/18/2015

**SB 91**, introduced by Thomas  
**SB 390**, introduced by Arntzen  
**SB 405**, introduced by Buttrey

**House amendments to Senate joint resolution** concurred in:

4/18/2015

**SJR 10**, introduced by L. Jones

**HB 28** - The Senate acceded to the request of the House and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on Senate amendments to **HB 28**:

4/18/2015

Senator Wolken, Chair  
Senator Driscoll  
Senator Hansen

HOUSE JOURNAL  
EIGHTIETH LEGISLATIVE DAY - APRIL 20, 2015

**SB 389** - The Senate dissolved the Conference Committee on House amendments to **SB 389**, and authorized the President to appoint the following Free Conference Committee to confer on House amendments to **SB 389**:

4/20/2015

Senator Hamlett, Chair  
Senator Connell  
Senator Vincent

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Perry in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 11 - Senate Amendments** - Representative Cuffe moved Senate amendments to **HB 11** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 98

Nays: Monforton, Zolnikov.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
EIGHTIETH LEGISLATIVE DAY - APRIL 20, 2015

**HB 114 - Senate Amendments** - Representative Miller moved Senate amendments to **HB 114** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Hayman, Lieser, Lynch, Swanson.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 115 - Senate Amendments** - Representative Funk moved Senate amendments to **HB 115** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Flynn, Funk, Garner, Greef, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 60

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Ehli, Essmann, Fiscus, Glimm, Hagstrom, Harris, Hertz, Hess, Jones, Lamm, Lang, Laszloffy, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 40

Excused: None.

Total 0

HOUSE JOURNAL  
EIGHTIETH LEGISLATIVE DAY - APRIL 20, 2015

Absent or not voting: None.

Total 0

**HB 123 - Senate Amendments** - Representative D. Jones moved Senate amendments to **HB 123** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noonan, Olszewski, Osmundson, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 86

Nays: J. Bennett, Z. Brown, Fitzpatrick, Lamm, MacDonald, Manzella, Noland, Olsen, Pease-Lopez, Peppers, Schreiner, Tropila, Wittich, Zolnikov.

Total 14

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 389 - Senate Amendments** - Representative Essmann moved Senate amendments to **HB 389** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Lieser, Mandeville, Manzella, McCarthy, McClafferty, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Wagoner, Welborn, White, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 63

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lynch, MacDonald, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Williams, Wilson.

Total 37

HOUSE JOURNAL  
EIGHTIETH LEGISLATIVE DAY - APRIL 20, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 575 - Senate Amendments** - Representative Burnett moved Senate amendments to **HB 575** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McCarthy, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 61

Nays: Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson.

Total 38

Excused: None.

Total 0

Absent or not voting: Jones.

Total 1

**SJR 2** - Representative Williams moved **SJR 2** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berry, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Noonan, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Regier, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 75

HOUSE JOURNAL  
EIGHTIETH LEGISLATIVE DAY - APRIL 20, 2015

Nays: Berglee, Brodehl, B. Brown, Cook, Doane, Glimm, Hagstrom, Harris, Jones, Lamm, Lavin, Manzella, McKamey, Monforton, Mortensen, Olsen, Olszewski, Pinocci, Randall, Redfield, Ricci, Schwaderer, Tschida, Wittich.

Total 24

Excused: None.

Total 0

Absent or not voting: Noland.

Total 1

**SJR 12** - Representative Schreiner moved **SJR 12** be concurred in. Motion **failed** as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Greef, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Pierson, Pope, Price, Richmond, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson.

Total 50

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Laszloffy, Lavin, Mandeville, Manzella, McCarthy, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Person, Pinocci, Randall, Redfield, Regier, Ricci, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 50

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SJR 18** - Representative Williams moved **SJR 18** be concurred in. Motion **failed** as follows:

Yeas: B. Bennett, B. Brown, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Greef, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Zolnikov.

Total 49

HOUSE JOURNAL  
EIGHTIETH LEGISLATIVE DAY - APRIL 20, 2015

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, Burnett, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Mr. Speaker.

Total 51

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SJR 20** - Representative Pope moved **SJR 20** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, White, Williams, Wilson, Woods, Zolnikov.

Total 65

Nays: Ballance, J. Bennett, Berglee, B. Brown, Cuffe, Doane, Ehli, Fiscus, Flynn, Glimm, Harris, Hertz, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, Wittich, Mr. Speaker.

Total 34

Excused: None.

Total 0

Absent or not voting: Lamm.

Total 1

**SJR 21** - Representative Garner moved **SJR 21** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall,



HOUSE JOURNAL  
EIGHTIETH LEGISLATIVE DAY - APRIL 20, 2015

Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 83

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Hagstrom, Hertz, Lamm, Lang, Laszloffy, Manzella, McKamey, Monforton, Redfield, Staffanson, White, Wittich.

Total 17

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Perry moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Lynch.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
EIGHTIETH LEGISLATIVE DAY - APRIL 20, 2015

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 24 failed** as follows:

Yeas: B. Bennett, Z. Brown, Dudik, Dunwell, Eck, Ehli, Ellis, Funk, Hayman, Hill, Hunter, Karjala, Kipp III, Lynch, McClafferty, Olsen, Pease-Lopez, Perry, Pierson, Schreiner, Shaw, Steenberg, Tropila, Williams, Wilson, Woods.  
Total 26

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, MacDonald, Mandeville, Manzella, McCarthy, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Peppers, Person, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Smith, Staffanson, Swanson, Tschida, Wagoner, Webber, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 74

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 306** passed as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.  
Total 67

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Flynn, Glimm, Harris, Hess, Jones, Lamm, Laszloffy, Lavin, Mandeville, Manzella, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Ricci, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov.  
Total 32

HOUSE JOURNAL  
EIGHTIETH LEGISLATIVE DAY - APRIL 20, 2015

Excused: None.

Total 0

Absent or not voting: McCarthy.

Total 1

**HB 359** passed as follows:

Yeas: B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 87

Nays: Ballance, J. Bennett, B. Brown, Fiscus, Hess, Lamm, Manzella, Monforton, Mortensen, Tschida, Wagoner, White, Wittich.

Total 13

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 517** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: J. Bennett, Hess, Meyers, Wagoner, Wittich.

Total 5

HOUSE JOURNAL  
EIGHTIETH LEGISLATIVE DAY - APRIL 20, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 188** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: Z. Brown, Ellis, MacDonald, McKamey, Olsen, Olszewski, Welborn, Wittich.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 252** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: B. Brown, Glimm, MacDonald, Manzella, Monforton, Pease-Lopez, Tschida, Wittich.

Total 8

HOUSE JOURNAL  
EIGHTIETH LEGISLATIVE DAY - APRIL 20, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 272** concurred in as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Greef, Hayman, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 65

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Ehli, Fiscus, Flynn, Garner, Glimm, Hagstrom, Harris, Hess, Holmlund, Jones, Lang, Laszloffy, Manzella, McKamey, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Tschida, Wagoner, Wittich, Zolnikov.

Total 35

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 354** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Dudik, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McKamey, Mehlhoff, Miller, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Perry, Person, Pierson, Pinocci, Pope, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Tschida, Wagoner, Welborn, White, Wilson, Mr. Speaker.

Total 75

Nays: B. Bennett, Court, Curdy, Dunwell, Eck, Essmann, Hayman, Karjala, Lieser, MacDonald, McConnell, Meyers, Monforton, Olsen, Pease-Lopez, Peppers, Price, Schreiner, Swanson, Tropila, Webber, Williams, Wittich, Woods, Zolnikov.

Total 25

HOUSE JOURNAL  
EIGHTIETH LEGISLATIVE DAY - APRIL 20, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 396** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McCarthy, McKamey, Meyers, Monforton, Mortensen, Noland, Olszewski, Osmundson, Perry, Person, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Welborn, White, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Garner, Hayman, Hollandsworth, Hunter, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McClafferty, McConnell, Mehlhoff, Miller, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Pierson, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Wilson.

Total 40

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 410** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 41

HOUSE JOURNAL  
EIGHTIETH LEGISLATIVE DAY - APRIL 20, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 418** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Mortensen, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 86

Nays: B. Brown, Essmann, Glimm, Harris, Jones, Monforton, Moore, Noland, Olszewski, Pinocci, Schwaderer, White, Wittich, Zolnikov.

Total 14

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SJR 24** concurred in as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Greef, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Monforton, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 79

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Fiscus, Glimm, Hagstrom, Harris, Lamm, Manzella, Meyers, Mortensen, Noland, Pinocci, Redfield, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 21

HOUSE JOURNAL  
EIGHTIETH LEGISLATIVE DAY - APRIL 20, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 411** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Doane, Dudik, Dunwell, Eck, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Karjala, Lamm, Lang, Laszloffy, Lieser, Mandeville, Manzella, McCarthy, McConnell, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Perry, Regier, Ricci, Schwaderer, Smith, Staffanson, Steenberg, Tschida, Webber, Welborn, Wilson, Wittich, Zolnikov.

Total 60

Nays: B. Bennett, Berry, Court, Curdy, Custer, Ellis, Fitzpatrick, Funk, Hayman, Hill, Hunter, Jacobson, Kelker, Kipp III, Lavin, Lynch, MacDonald, McClafferty, Mehlhoff, Moore, Pease-Lopez, Peppers, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Richmond, Salomon, Schreiner, Shaw, Swanson, Tropila, Wagoner, White, Williams, Woods, Mr. Speaker.

Total 40

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**MOTIONS**

Majority Leader Regier moved the House accede to the request of the Senate and appoint a **Free** Conference Committee on **SB 389**. Motion carried. Speaker Knudsen appointed:

4/20/2015

Representative B. Brown

Representative White

Representative Williams

Representative Lamm moved that **SB 107** be taken from Appropriations and placed on 3rd reading, Tuesday, April 21, 2015.

Motion **passed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Custer, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hess, Hollandsworth, Kipp III, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton,



HOUSE JOURNAL  
EIGHTIETH LEGISLATIVE DAY - APRIL 20, 2015

Noland, Olszewski, Osmundson, Pease-Lopez, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Tschida, Wagoner, Webber, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 54

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Hayman, Hertz, Hill, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Mortensen, Noonan, Olsen, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Steenberg, Swanson, Tropila, Williams, Wilson, Woods.

Total 46

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Steenberg moved to reconsider action on **SJR 12** and that **SJR 12** be placed on second reading on Tuesday, April 21, 2015.

Motion **passed** as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson.

Total 51

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 49

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
EIGHTIETH LEGISLATIVE DAY - APRIL 20, 2015

Representative White moved that **SB 118** be taken from Natural Resources and brought before the Committee of the Whole, Tuesday, April 21, 2015.

Motion **passed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Kipp III, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Peppers, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Tschida, Wagoner, Webber, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 64

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hertz, Hill, Hunter, Karjala, Kelker, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Noonan, Olsen, Pease-Lopez, Perry, Person, Pierson, Pope, Price, Salomon, Steenberg, Swanson, Tropila, Williams, Wilson, Woods.

Total 36

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Essmann moved that **HJR 12** be taken from Taxation and brought before the Committee of the Whole, Wednesday, April 22, 2015.

Motion **failed** as follows:

Yeas: Berglee, Clark, Essmann, Fiscus, Garner, Jones, McKamey, Miller, Moore, Mortensen, Schwaderer, Staffanson, Tschida, Wittich, Zolnikov.

Total 15

Nays: Ballance, B. Bennett, J. Bennett, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fitzpatrick, Flynn, Funk, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Monforton, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 85

HOUSE JOURNAL  
EIGHTIETH LEGISLATIVE DAY - APRIL 20, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Tuesday, April 21, 2015.  
Motion carried.

House adjourned at 2:24 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
EIGHTY-FIRST LEGISLATIVE DAY**

Helena, Montana  
April 21, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Cuffe. Pledge of Allegiance to the Flag. Roll Call. All members present. Quorum present.

**BILLS** (Welborn, Chair):

4/21/2015

Correctly printed: **HJR 29, HJR 32, HR 3, SB 211, SB 233, SJR 22.**

Correctly engrossed: **SB 316.**

Correctly enrolled: **HB 11, HB 34, HB 114, HB 115, HB 123, HB 389, HB 454, HB 575, HB 629.**

Transmitted to the Senate: **SJR 2, SJR 20, SJR 21.**

Signed by the Speaker at 3:50 p.m., April 21, 2015: **HB 89, HB 237, HB 322, HB 356, HB 411, HB 483, HB 506.**

Signed by the Chief Clerk of the House at 4:30 p.m., April 21, 2015: **HB 89, HB 237, HB 322, HB 356, HB 411, HB 483, HB 506.**

**COMMUNICATIONS AND PETITIONS**

Mr. Speaker: We, your committee on Legislative Administration, having examined the daily journals for the sixty-sixth, sixty-seventh, sixty-eighth, sixty-ninth, and seventieth legislative days, find the same to be correct.

Representative Welborn, Chair

**REPORTS OF STANDING COMMITTEES**

**EDUCATION** (Laszloffy, Chair):

4/20/2015

**HJR 32**, be adopted. Report adopted.

**HUMAN SERVICES** (Wittich, Chair):

4/20/2015

**HJR 29**, be adopted. Report adopted.

**SB 211**, be concurred in. Report adopted.

**SB 233**, be concurred in. Report adopted.

**SB 316**, be amended as follows:

1. Page 3, line 13 through line 14.

**Strike:** "contract with" on line 13 through "hearing and" on line 14

**Insert:** "provide the person with a hearing presided over by an administrative law judge employed by the department"

HOUSE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

2. Page 4, line 1 through line 5.

**Following:** "facility"

**Insert:** "pursuant to the appeal procedures currently in place for appeals from hearing decisions by administrative law judges employed by the department"

**Strike:** "The appeal" on line 1 through "housed." on line 5

3. Page 4, line 17.

**Following:** "(1)"

**Insert:** "(a)"

**Strike:** "If"

**Insert:** "Except as provided in subsection (1)(b), if"

4. Page 4, line 20.

**Strike:** "at least monthly."

**Insert:** "every 6 months."

(b) If a person is housed in locked housing or the infirmary of a correctional facility, the professional person shall meet with the person on a monthly basis.

(c)"

5. Page 4, line 29.

**Following:** "(b)"

**Insert:** "(i)"

6. Page 5, line 2.

**Following:** "treatment needs,"

**Insert:** "the individual shall notify the warden and the superintendent of the Montana state hospital. The warden and the superintendent shall review the reasons for the recommendation by the mental health professional or correctional officer and determine within 20 days whether a transfer is warranted."

(ii) The warden and the superintendent shall provide the director of the department of public health and human services and the person sentenced to the director's custody with a written notification of their determination and the reasons for the determination.

(iii) If the warden and the superintendent recommend a transfer from the correctional facility,"

7. Page 5, line 4.

**Strike:** "department of corrections"

**Insert:** "warden and the superintendent"

8. Page 5.

**Following:** line 4

**Insert:** "(3) If exigent circumstances require the immediate transfer of a person sentenced to the custody of the director of the department of public health and human services from a correctional facility to the Montana state hospital, the department of corrections may transfer the person without first following the process established in subsection (2)(b)."

HOUSE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

The transfer is an interim placement and may last no longer than 20 days unless the department of public health and human services determines that the person's custody, care, and treatment needs are best served at the Montana state hospital."

**Renumber:** subsequent subsection

And, as amended, be concurred in. Report adopted.

**SJR 22**, be concurred in. Report adopted.

**NATURAL RESOURCES** (White, Chair):

4/20/2015

**HR 3**, be adopted. Report adopted.

**REPORTS OF SELECT COMMITTEES**

CONFERENCE COMMITTEE  
on Senate Amendments to **House Bill 28**  
Report No. 001, April 20, 2015

Madam President and Mr. Speaker:

We, your Conference Committee met and considered Senate amendments to **House Bill 28** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 28** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 8 through line 9.

**Following:** "~~AND~~"

**Strike:** remainder of line 8 through "RESOURCES;" on line 9

2. Page 2, line 9 through line 10.

**Strike:** section 2 in its entirety

**Renumber:** subsequent section

For the Senate:

Wolken, Chair

Driscoll

Hansen

For the House:

Eck, Vice Chair

Redfield

Schwaderer

**FREE CONFERENCE COMMITTEE**  
on **Senate Bill 283**  
Report No. 001, April 21, 2015

Madam President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 283** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

HOUSE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

And, recommend that **Senate Bill 283** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 7.

**Following:** "LAWS;"

**Insert:** "PROVIDING FOR A STIPEND AND"

2. Title, page 1, line 14.

**Following:** "ACCOUNT"

**Insert:** "OR OTHERWISE REIMBURSED"

3. Page 1, line 21.

**Following:** "services"

**Insert:** "stipend and"

**Following:** "reimbursement."

**Insert:** "(1) Each legislator is entitled to a stipend of \$3,000 in a biennium for providing constituent services, which include but are not limited to unreimbursed expenses for mileage, per diem, or lodging as well as communication and information technology, such as expenses for telecommunications or internet, computer hardware and software, postage, and education-related expenses to represent constituents."

**Renumber:** subsequent subsections

4. Page 1, line 21.

**Strike:** "subsection (3)"

**Insert:** "subsections (4) and (5)"

5. Page 1, line 22.

**Strike:** "\$3,000"

**Insert:** "the amount provided for in subsection (3)"

6. Page 1, line 22.

**Strike:** "."

7. Page 1, line 23.

**Strike:** "(a)"

8. Page 1, line 24 through line 27.

**Strike:** "; and" on line 24 through "constituents" on line 27

9. Page 1.

**Following:** line 27

**Insert:** "(3) The amount authorized under subsection (2) is:

(a) \$1,000 if the legislator's district is at least 100 square miles but less than 1,000 square miles;

(b) \$2,000 if the legislator's district is at least 1,000 square miles but less than 5,000 square miles;

HOUSE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

(c) \$3,000 if the legislator's district is at least 5,000 square miles but less than 7,500 square miles; or

(d) \$4,000 if the legislator's district is 7,500 square miles or more."

**Renumber:** subsequent subsections

10. Page 1, line 28.

**Strike:** "Legislators must"

**Insert:** "For expenses authorized under subsection (2), a legislator shall"

**Strike:** "and must submit:"

**Insert:** "by submitting"

11. Page 1, line 29.

**Strike:** "(a)"

12. Page 1, line 29 through page 2, line 1.

**Strike:** ", for" on page 1, line 29 through "(1)(b)" on page 2, line 1

For the Senate:

Brenden, Chair

Sales

Sands

For the House:

Essmann, Vice Chair

MacDonald

**FREE CONFERENCE COMMITTEE**  
on **Senate Bill 389**  
Report No. 001, April 21, 2015

Madam President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 389** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 389** (reference copy -- salmon) be amended as follows:

1. Page 4, line 5 through line 11.

**Strike:** subsection (1) through subsection (3) in their entirety

**Insert:** "(1) "Ephemeral stream" means a watercourse that has a channel and that carries water only during and shortly after precipitation or snow melt events.

(2) "Intermittent stream" means a nonperennial flowing stream that has a channel and that annually carries water but is dry for part of the year in most years.

(3) "Perennial flowing stream" means a stream that has flowed continuously during all seasons during dry as well as wet years, except when the flow is interrupted by diversions."

For the Senate:

Hamlett, Chair

Connell

Vincent

For the House:

Williams, Vice Chair

B. Brown

White



HOUSE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

**MESSAGES FROM THE SENATE**

**House amendments to House bills** concurred in:

4/20/2015

**HB 4**, introduced by Ballance  
**HB 10**, introduced by McCarthy  
**HB 140**, introduced by Welborn  
**HB 150**, introduced by Flynn  
**HB 156**, introduced by Miller  
**HB 167**, introduced by Welborn  
**HB 191**, introduced by Eck  
**HB 223**, introduced by Clark  
**HB 228**, introduced by Berry  
**HB 300**, introduced by White  
**HB 403**, introduced by Hagstrom  
**HB 423**, introduced by Staffanson  
**HB 463**, introduced by McCarthy  
**HB 464**, introduced by Z. Brown  
**HB 488**, introduced by Regier  
**HB 496**, introduced by White  
**HB 560**, introduced by Hertz  
**HB 599**, introduced by Randall  
**HB 604**, introduced by Greef  
**HB 617**, introduced by Lavin  
**HB 627**, introduced by Brodehl

**House bill not** concurred in and returned to the House:

4/20/2015

**HB 245**, introduced by Ballance

**House bills** concurred in and returned to the House:

4/20/2015

**HB 454**, introduced by Fitzpatrick  
**HB 629**, introduced by Redfield

**Governor's amendments to House bill not** concurred in and transmitted to the House for concurrence in the Governor's amendments:

4/21/2015

**HB 33**, introduced by Ehli

**House amendments to Senate bill** concurred in:

4/20/2015

**SB 334**, introduced by Fielder

HOUSE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

Conference Committee Report No.1 adopted:

4/20/2015

**HB 118**, introduced by B. Bennett

**HB 211**, introduced by Wagoner

**HB 226**, introduced by Richmond

**SB 138**, introduced by Hoven

**Free** Conference Committee Report No.1 adopted:

4/20/2015

**SB 261**, introduced by Hamlett

**SB 385**, introduced by Webb

**SB 389** - The Senate dissolved the Conference Committee on House amendments to **SB 389**, and authorized the President to appoint the following **Free** Conference Committee to confer on **SB 389**:

4/20/2015

Senator Hamlett, Chair

Senator Connell

Senator Vincent

**SB 171** - The Senate failed to concur in the House amendments to **SB 171** and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on **SB 171**:

4/21/2015

Senator Tutvedt, Chair

Senator Dick Barrett

Senator Thomas

**SB 260** - The Senate failed to concur in the House amendments to **SB 260** and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on **SB 260**:

4/21/2015

Senator F. Moore, Chair

Senator Facey

Senator Rosendale

**SB 354** - The Senate failed to concur in the House amendments to **SB 354** and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on **SB 354**:

4/21/2015

Senator Ripley, Chair

Senator L. Jones

Senator Sesso

HOUSE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

**SB 410** - The Senate failed to concur in the House amendments to **SB 410** authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on **SB 410**:

4/21/2015

Senator L. Jones, Chair  
Senator Hamlett  
Senator Hansen

**SB 418** - The Senate failed to concur in the House amendments to **SB 418** and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on Senate amendments to **SB 418**:

4/21/2015

Senator L. Jones, Chair  
Senator F. Moore  
Senator Sesso

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Lynch in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 6 - Senate Amendments** - Representative Cuffe moved Senate amendments to **HB 6** be **not** concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Peppers, Pinocci, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tropila, Tschida, Wagoner, Welborn, White, Wittich, Mr. Speaker.  
Total 61

Nays: B. Bennett, Z. Brown, Burnett, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Noonan, Olsen, Pease-Lopez, Perry, Person, Pierson, Pope, Schreiner, Smith, Steenberg, Swanson, Webber, Williams, Wilson, Woods, Zolnikov.  
Total 39

HOUSE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 7 - Senate Amendments** - Representative Cuffe moved Senate amendments to **HB 7** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 97

Nays: Monforton, Schwaderer, Zolnikov.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 9 - Senate Amendments** - Representative Cuffe moved Senate amendments to **HB 9** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 86

HOUSE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

Nays: B. Brown, Burnett, Dudik, Dunwell, Fitzpatrick, Harris, Manzella, Monforton, Randall, Redfield, Wagoner, Zolnikov.  
Total 12

Excused: None.  
Total 0

Absent or not voting: Olsen, Regier.  
Total 2

**HB 219 - Senate Amendments** - Representative Essmann moved Senate amendments to **HB 219** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Karjala, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McCarthy, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Peppers, Perry, Person, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wittich, Zolnikov, Mr. Speaker.  
Total 82

Nays: Court, Dudik, Dunwell, Hayman, Hill, Hunter, Kelker, Lieser, MacDonald, McClafferty, McConnell, Noonan, Olsen, Pease-Lopez, Pope, Price, Wilson, Woods.  
Total 18

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 487 - Senate Amendments** - Representative D. Jones moved Senate amendments to **HB 487** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dunwell, Eck, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond,

HOUSE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 90

Nays: Dudik, Ellis, Hunter, Mandeville, Monforton, Noonan, Olsen, Person, Wittich, Zolnikov.  
Total 10

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 512 - Senate Amendments** - Representative Mortensen moved Senate amendments to **HB 512** be **not** concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Custer, Doane, Dudik, Dunwell, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Pierson, Pinocci, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 87

Nays: B. Bennett, Burnett, Curdy, Eck, Hayman, Hunter, Jacobson, Lieser, Noonan, Person, Pope, Steenberg, Wilson.  
Total 13

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 118** - Representative White moved **SB 118** be concurred in.

**SB 118** - Representative Lieser moved **SB 118**, second reading copy, be amended as follows:

1. Title, page 1, line 6.

**Following:** "DISRUPTION"

**Insert:** "AND UNDER CERTAIN CIRCUMSTANCES; EXEMPTING THE REQUIRED NOTICE UNTIL A WATER RIGHT HAS BEEN ADJUDICATED"

HOUSE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

2. Page 2, line 2 through line 8.

**Strike:** subsections 5 and 6 in their entirety

**Insert:** "(5)(a) If an appropriator ceases to use all or part of an appropriation right because the means of conveyance for an appropriation is disrupted, impeded, or otherwise blocked due to no fault of the appropriator, this does not represent an intent by the appropriator to wholly or partially abandon any portion of the appropriation right reliant upon the conveyance.

(b) This subsection (5) only applies if the appropriator:

(i) notifies the department by certified mail within 1 year of the disruption, impediment, or blockage;

(ii) demonstrates reasonable diligence in having the means of conveyance repaired or replaced; and

(iii) does not cease water use for more than 10 successive years during which water was available for use.

(6) Subsections (1), (2), and (5) do not apply to existing rights until they have been finally determined in accordance with part 2 of this chapter."

Amendment adopted as follows:

Yeas: B. Bennett, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Funk, Garner, Hagstrom, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Moore, Mortensen, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Regier, Richmond, Salomon, Schreiner, Schwaderer, Smith, Steenberg, Swanson, Tropila, Webber, White, Williams, Wilson, Woods.

Total 64

Nays: Ballance, J. Bennett, Berglee, B. Brown, Burnett, Custer, Doane, Fitzpatrick, Flynn, Glimm, Greef, Harris, Hertz, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Monforton, Noland, Olszewski, Pinocci, Randall, Ricci, Shaw, Staffanson, Tschida, Wagoner, Welborn, Wittich, Zolnikov, Mr. Speaker.

Total 36

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

**SB 118** - Representative White moved **SB 118**, as amended, be concurred in. Motion **failed** as follows:

Yeas: J. Bennett, Cuffe, Essmann, Harris, Hess, Kipp III, Lang, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Olszewski, Regier, Schwaderer, Staffanson, White, Wittich, Zolnikov.  
Total 19

Nays: Ballance, B. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Miller, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.  
Total 81

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SJR 12** - Representative Schreiner moved **SJR 12** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Regier, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson.  
Total 66

Nays: Ballance, J. Bennett, Berglee, B. Brown, Burnett, Doane, Flynn, Glimm, Harris, Hertz, Jones, Lamm, Laszloffy, Lavin, Manzella, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 33

Excused: None.  
Total 0

Absent or not voting: Fiscus.  
Total 1



HOUSE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

**HB 118 - Conference Committee Report No. 1** - Representative B. Bennett moved the Conference Committee report to **HB 118** be adopted. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Essmann, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Regier, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Zolnikov, Mr. Speaker.  
Total 82

Nays: J. Bennett, B. Brown, Cuffe, Ellis, Fiscus, Fitzpatrick, Harris, Hunter, Lamm, Monforton, Olsen, Pinocci, Redfield, Ricci, Tschida, Wittich, Woods.  
Total 17

Excused: None.  
Total 0

Absent or not voting: Mortensen.  
Total 1

**HB 211 - Conference Committee Report No. 1** - Representative Wagoner moved the Conference Committee report to **HB 211** be adopted. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 96

Nays: Burnett, Hagstrom, Wittich, Zolnikov.  
Total 4

Excused: None.  
Total 0

HOUSE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

Absent or not voting: None.

Total 0

**HB 226 - Conference Committee Report No. 1** - Representative Richmond moved the Conference Committee report to **HB 226** be adopted. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 79

Nays: Ballance, B. Brown, Cuffe, Essmann, Glimm, Harris, Hess, Lamm, Laszloffy, Manzella, Miller, Monforton, Mortensen, Noland, Olszewski, Tropila, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 21

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 138 - Conference Committee Report No. 1** - Representative Berry moved the Conference Committee report to **SB 138** be adopted. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Monforton, Noland, Osmundson, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Tschida, Wagoner, Welborn, Mr. Speaker.

Total 47

Nays: B. Bennett, Z. Brown, Clark, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Harris, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Salomon, Schreiner, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, White, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 53

HOUSE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 261 - Free Conference Committee Report No. 1** - Representative Lang moved the Free Conference Committee report to **SB 261** be adopted. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 90

Nays: B. Brown, Lamm, Mandeville, Manzella, Meyers, Monforton, Mortensen, White, Wittich, Zolnikov.

Total 10

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 385 - Free Conference Committee Report No. 1** - Representative Fiscus moved the Free Conference Committee report to **SB 385** be adopted. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 61

Nays: B. Bennett, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty,

HOUSE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

McConnell, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 39

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Lynch moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Richmond, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 93

Nays: Glimm, Lang, Olsen, Redfield, Ricci, Salomon, Schwaderer.  
Total 7

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 11** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm,

HOUSE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 98

Nays: Monforton, Zolnikov.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 114** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Hayman, Lieser, Noonan, Pierson, Swanson, Wittich.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 115** passed as follows:

Yeas: Ballance, B. Bennett, Berry, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Hayman, Hill,

HOUSE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Olszewski,

Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 64

Nays: J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Doane, Fiscus, Flynn, Glimm, Harris, Hertz, Hess, Jones, Lamm, Lang, Laszloffy, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Zolnikov.

Total 36

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 123** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 86

Nays: J. Bennett, Fitzpatrick, Lamm, MacDonald, Manzella, Noonan, Olsen, Pease-Lopez, Peppers, Pinocci, Schreiner, Tropila, Wittich, Zolnikov.

Total 14

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

**HB 389** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Karjala, Lamm, Lang, Laszloffy, Lavin, Lieser, Mandeville, Manzella, McCarthy, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Wagoner, Webber, Welborn, White, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 65

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Kelker, Kipp III, Lynch, MacDonald, McClafferty, McConnell, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Steenberg, Swanson, Tropila, Tschida, Williams, Wilson.

Total 35

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 575** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Karjala, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 63

Nays: Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Funk, Hayman, Hill, Hunter, Jacobson, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 37

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

**SJR 2** concurred in as follows:

Yeas: B. Bennett, J. Bennett, Berry, Burnett, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Regier, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 71

Nays: Ballance, Berglee, Brodehl, B. Brown, Z. Brown, Cook, Doane, Glimm, Hagstrom, Harris, Lamm, Laszloffy, Lavin, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olsen, Olszewski, Pinocci, Redfield, Ricci, Tschida, Wagoner, Welborn, Wittich.  
Total 29

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SJR 20** concurred in as follows:

Yeas: B. Bennett, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, White, Williams, Wilson, Woods, Zolnikov.  
Total 62

Nays: Ballance, J. Bennett, Berglee, B. Brown, Cuffe, Doane, Ehli, Fiscus, Flynn, Glimm, Harris, Hertz, Hess, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, Wittich, Mr. Speaker.  
Total 38

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0



HOUSE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

**SJR 21** concurred in as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 82

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Fiscus, Hagstrom, Hertz, Lamm, Lang, Laszloffy, Manzella, McKamey, Monforton, Redfield, Staffanson, White, Wittich.  
Total 18

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 107 failed** as follows:

Yeas: J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Lamm, Lang, Laszloffy, Lavin, Mandeville, Meyers, Miller, Monforton, Noland, Olszewski, Osmundson, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 48

Nays: Ballance, B. Bennett, Berry, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Hagstrom, Hayman, Hill, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Moore, Mortensen, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 52

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

**MOTIONS**

Majority Leader Regier moved to appoint a Conference Committee on **HB 512** and request the Senate to appoint a like committee. Motion carried. Speaker Knudsen appointed:

4/21/2015

Representative D. Jones  
Representative McCarthy  
Representative Mortensen

Majority Leader Regier moved to appoint a **Free** Conference Committee on **HB 6** and request the Senate to appoint a like committee. Motion carried. Speaker Knudsen appointed:

4/21/2015

Representative Cuffe  
Representative Hagstrom  
Representative Tropila

Majority Leader Regier moved to appoint a **Free** Conference Committee on **HB 33** and request the Senate to appoint a like committee. Motion carried. Speaker Knudsen appointed:

4/21/2015

Representative Burnett  
Representative Ehli  
Representative Schreiner

Majority Leader Regier moved the House accede to the request of the Senate and appoint a **Free** Conference Committee on **SB 171**. Motion carried. Speaker Knudsen appointed:

4/21/2015

Representative Hertz  
Representative Redfield  
Representative Williams

Majority Leader Regier moved the House accede to the request of the Senate and appoint a **Free** Conference Committee on **SB 260**. Motion carried. Speaker Knudsen appointed:

4/21/2015

Representative Laszloffy  
Representative McClafferty  
Representative Monforton

Majority Leader Regier moved the House accede to the request of the Senate and appoint a **Free** Conference Committee on **SB 353**. Motion carried. Speaker Knudsen appointed:

4/21/2015

Representative G. Bennett  
Representative Lieser  
Representative Noland

HOUSE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

Majority Leader Regier moved the House accede to the request of the Senate and appoint a **Free** Conference Committee on **SB 354**. Motion carried. Speaker Knudsen appointed:

4/22/2015

Representative G. Bennett  
Representative Lieser  
Representative Noland

Majority Leader Regier moved the House accede to the request of the Senate and appoint a **Free** Conference Committee on **SB 410**. Motion carried. Speaker Knudsen appointed:

4/21/2015

Representative Laszloffy  
Representative McClafferty  
Representative Osmundson

Majority Leader Regier moved the House accede to the request of the Senate and appoint a **Free** Conference Committee on **SB 418**. Motion carried. Speaker Knudsen appointed:

4/21/2015

Representative Ballance  
Representative Noonan  
Representative Osmundson

**HB 191** was transmitted to the House after the deadline for amendments to general bills. Representative Eck moved to accept **HB 191** into the House Chamber for consideration.

Motion carried as follows

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Wittich, Woods.

Total 87

Nays: Brodehl, Fiscus, Hagstrom, Hunter, Osmundson, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Zolnikov, Mr. Speaker.

Total 13

Excused: None.

Total 0

HOUSE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

Absent or not voting: None.

Total 0

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Wednesday, April 22, 2015. Motion carried.

House adjourned at 2:30 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
EIGHTY-SECOND LEGISLATIVE DAY**

Helena, Montana  
April 22, 2015

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Manzella. Pledge of Allegiance to the Flag. Roll Call. All members present. Quorum present.

**BILLS** (Welborn, Chair):

4/22/2015

Correctly enrolled: **HB 7, HB 9, HB 118, HB 204, HB 211, HB 219, HB 226, HB 270, HB 421, HB 468, HB 486, HB 487, HB 510, HB 559, HB 577, HB 590, HB 612, HB 628, HR 3, HJR 13.**

Transmitted to the Senate: **SJR 12.**

Signed by the Speaker at 3:00 p.m., April 24, 2015: **HB 114, HB 115, HB 359, HB 454, HB 517, HB 629.**

Signed by the Chief Clerk of the House at 6:00 p.m., April 24, 2015: **HB 114, HB 115, HB 359, HB 454, HB 517, HB 629.**

Signed by the President at 9:40 a.m., April 22, 2015: **HB 60, HB 89, HB 119, HB 145, HB 154, HB 196, HB 237, HB 244, HB 322, HB 356, HB 374, HB 381, HB 411, HB 430, HB 472, HB 479, HB 483, HB 504, HB 506, HB 614.**

Delivered to the Governor for approval at 11:33 a.m., April 22, 2015: **HB 60, HB 89, HB 119, HB 154, HB 196, HB 237, HB 244, HB 322, HB 356, HB 374, HB 381, HB 411, HB 430, HB 472, HB 479, HB 483, HB 504, HB 506, HB 614.**

Delivered to the Governor for approval at 11:55 a.m., April 22, 2015: **HB 145**

**REPORTS OF SELECT COMMITTEES**

CONFERENCE COMMITTEE  
on Senate Amendments to **House Bill 512**  
Report No. 001, April 22, 2015

Madam President and Mr. Speaker:

We, your Conference Committee met and considered Senate amendments to **House Bill 512** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 512** (reference copy -- salmon) be amended as follows:

1. Page 2, line 8.

**Strike:** "\$1.2 million"

**Insert:** "\$476,000"

**Strike:** "ONE TIME ONLY"

HOUSE JOURNAL  
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 22, 2015

2. Page 2, line 12.

**Following:** line 11

**Insert:** "(3) There is appropriated \$724,000 from the general fund one time only to the department of justice for the biennium beginning July 1, 2015, for equipment for the eastern Montana branch of the laboratory of criminalistics in Yellowstone County. Unspent funds revert to the general fund."

For the Senate:  
Hansen, Chair  
Webb  
Wolken

For the House:  
Mortensen, Vice Chair  
D. Jones  
McCarthy

**FREE CONFERENCE COMMITTEE**  
**on Senate Bill 171**  
Report No. 001, April 22, 2015

Madam President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 171** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 171** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 13.

**Strike:** "LOWERING" through "RATES;"

2. Title, page 1, line 29.

**Strike:** "15-31-121,"

3. Title, page 2, line 11.

**Following:** the first "DATES"

**Insert:** ", "

**Strike:** "AND"

**Following:** the second "DATES"

**Insert:** ", AND A TERMINATION DATE"

4. Page 4, line 2.

**Following:** "(3)(g)"

**Insert:** "and (3)(h)"

5. Page 4, line 3.

**Following:** "\$6,400"

**Insert:** "; and

(h) the amount of any refund or credit for overpayment of income taxes imposed by this state or any other taxing jurisdiction to the extent included in gross income for federal income tax purposes but not previously allowed as a deduction for Montana income tax purposes"

HOUSE JOURNAL  
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 22, 2015

6. Page 19, line 24.

**Strike:** "\$43,400"

**Insert:** "\$41,000"

7. Page 19, line 25.

**Strike:** "\$43,400"

**Insert:** "\$41,000"

8. Page 19, line 27.

**Strike:** "\$32,550"

**Insert:** "\$30,750"

9. Page 19, line 28.

**Strike:** "\$32,550"

**Insert:** "\$30,750"

10. Page 20, line 1.

**Strike:** "\$21,700"

**Insert:** "\$20,500"

11. Page 20, line 2.

**Strike:** "\$21,700"

**Insert:** "\$20,500"

12. Page 20, line 5.

**Strike:** "\$21,700"

**Insert:** "\$20,500"

13. Page 20, line 6.

**Strike:** "\$21,700"

**Insert:** "\$20,500"

14. Page 22, line 1.

**Insert:** "**Section 20.** Section 15-30-2113, MCA, is amended to read:

**"15-30-2113. Determination of status -- effect of marital status elections.** For purposes of this chapter:

(1) ~~the determination of whether an individual is married must be made as of the close of the individual's tax year, except that if the individual's spouse dies during the individual's tax year, the determination must be made as of the time of death~~ marital status, dependent status, status as an association, partnership, or individual, and any other status must be made as provided in the Internal Revenue Code; and

~~(2) an individual legally separated from the individual's spouse under a decree of divorce or of separate maintenance may not be considered as married.~~

HOUSE JOURNAL  
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 22, 2015

(2) the status that a taxpayer claims or elects in a federal income tax return with respect to the taxpayer or another individual or that the taxpayer or other individual is determined to have for federal income tax purposes conclusively determines the status of that individual; and

(3) a joint Montana individual income tax return must be filed for any tax year for which a joint federal income tax return is filed unless one of the individuals is a nonresident for any part of the tax year."

**Renumber:** subsequent sections

15. Page 40, line 12 through line 18.

**Strike:** section 38 in its entirety

**Renumber:** subsequent sections

16. Page 81, line 1.

**Strike:** line 1

17. Page 81, line 9 through line 13.

**Strike:** line 9 through line 13

18. Page 82, line 16.

**Following:** line 15

**Insert:**           "NEW SECTION. Section 69. Repealer. The following sections of the Montana Code Annotated are repealed:

15-30-2319. Credit for energy-conserving investments.

15-32-109. Credit for energy-conserving expenditures.

15-32-115. Credit for geothermal system -- to whom available -- eligible costs -- limitations.

15-32-201. Amount of credit -- to whom available.

15-32-202. Taxable years in which credit may be claimed -- carryover.

15-32-203. Department to make rules."

19. Page 84, line 30 through page 87, line 10.

**Strike:** section 72 in its entirety

**Insert:**           "COORDINATION SECTION. Section 73. Coordination instruction. If House Bill No. 359 and [this act] are passed and approved and if [this act] contains a section that repeals 15-30-2110, then [section 1(4) of Senate Bill No. 171] must be amended as follows:

(4) By November 1 of each year, the department shall multiply the subtraction from federal taxable income for a taxpayer that has attained the age of 65 contained in subsection (3)(g) by the inflation factor for ~~that~~ the following tax year, rounding the result to the nearest \$10. The resulting amount is effective for that following tax year and must be used as the basis for the subtraction from federal taxable income determined under subsection (3)(g)."

**Insert:**           "COORDINATION SECTION. Section 74. Coordination instruction. If Senate Bill No. 399 and [this act] are passed and approved and if [this act] contains a section that repeals 15-30-2110, then [section 1(3) of Senate Bill No. 171] must be amended to insert subsection (3)(i) that reads as follows:



HOUSE JOURNAL  
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 22, 2015

(i) a reduction for contributions to one or more accounts established under the Montana achieving a better life experience program or to a qualified program established and maintained by another state as provided by section 529A(e)(7) of the Internal Revenue Code, 26 U.S.C. 529A(e)(7). The reduction must be the lesser of \$3,000 or the amount of the contribution. In the case of married taxpayers, each spouse is entitled to a reduction, not to exceed \$3,000, for the spouses' contributions to the accounts. Spouses may jointly elect to treat one-half of the total contributions made by the spouses as being made by each spouse. The reduction in federal taxable income under this subsection (3)(i) applies only with respect to contributions to an account for which the account owner is the taxpayer, the taxpayer's spouse, or the taxpayer's child or stepchild if the taxpayer's child or stepchild is a Montana resident."

**Renumber:** subsequent sections

20. Page 93, line 29.

**Strike:** "\$43,400"

**Insert:** "\$41,000"

21. Page 93, line 30.

**Strike:** "\$43,400"

**Insert:** "\$41,000"

22. Page 94, line 2.

**Strike:** "\$32,550"

**Insert:** "\$30,750"

23. Page 94, line 3.

**Strike:** "\$32,550"

**Insert:** "\$30,750"

24. Page 94, line 6.

**Strike:** "\$21,700"

**Insert:** "\$20,500"

25. Page 94, line 7.

**Strike:** "\$21,700"

**Insert:** "\$20,500"

26. Page 94, line 10.

**Strike:** "\$21,700"

**Insert:** "\$20,500"

27. Page 94, line 11.

**Strike:** "\$21,700"

**Insert:** "\$20,500"

HOUSE JOURNAL  
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 22, 2015

28. Page 97, line 3.

**Following:** line 2

**Insert:** "COORDINATION SECTION. Section 80. Coordination instruction. If Senate Bill No. 378 and [this act] are both passed approved and if [this act] repeals 15-30-2117, then [section 1(3)(b) of Senate Bill No. 171] is amended as follows:

(b) (i) salary received from the armed forces by residents who entered into active duty from Montana and are serving on active duty in the regular armed forces;

(ii) salary received by residents of Montana for active duty in the national guard as provided in subsection (4);"

**Insert:** "COORDINATION SECTION. Section 81. Coordination instruction. If Senate Bill No. 378 and [this act] are both passed approved and if [this act] repeals 15-30-2117, then [section 1 of Senate Bill No. 171] is amended to insert subsection (4) that reads as follows:

(4) For the purposes of subsection (3)(b)(ii), "active duty" means duty performed under an order issued to a national guard member pursuant to:

(a) Title 10 U.S.C.; or

(b) Title 32 U.S.C. for a homeland defense activity, as defined in Title 32 U.S.C. 901, or a contingency operation, as defined in 10 U.S.C. 101, and the person was a member of a unit engaged in a homeland defense activity or contingency operation."

**Renumber:** subsequent sections

29. Page 97, line 7.

**Strike:** "JANUARY 1"

**Insert:** "December 31"

30. Page 97, line 10.

**Following:** line 9

**Insert:** "NEW SECTION. Section 83. Instruction to code commissioner -- amend internal references in coordinated sections. If Senate Bill No. 399 and [this act] are passed and approved, the code commissioner shall amend [section 1(3)(f) of Senate Bill No. 171] to include the internal reference to subsection (3)(i)."

**Renumber:** subsequent sections

31. Page 97, line 15.

**Strike:** "SUBSECTION"

**Insert:** "subsections"

**Following:** "(2)"

**Insert:** "through (4)"

32. Page 97, line 17.

**Strike:** "25" through "81"

**Insert:** "26, 27, 49, 72, and 84 through 87"

HOUSE JOURNAL  
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 22, 2015

33. Page 97, line 19.

**Following:** line 18

**Insert:** "(3) [Section 69] is effective December 31, 2016.

(4) [Sections 21, 43, and 44] are effective January 1, 2017."

34. Page 97, line 22.

**Strike:** "25,"

**Following:** "26,"

**Insert:** "27,"

35. Page 97, line 24.

**Following:** line 23

**Insert:** "NEW SECTION. **Section 87. Termination.** [Sections 20, 26, and 27] terminate December 31, 2016."

For the Senate:  
Tutvedt, Chair  
Thomas

For the House:  
Redfield, Vice Chair  
Hertz

**FREE CONFERENCE COMMITTEE**  
on **Senate Bill 353**  
Report No. 001, April 22, 2015

Madam President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 353** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 353** (reference copy -- salmon) be amended as follows:

1. Page 1, line 14.

**Strike:** "Except" through "the"

**Insert:** "The"

2. Page 1, line 16 through line 17.

**Strike:** "Until" on line 16 through "at" on line 17

**Insert:** "At"

3. Page 1, line 18 through line 19.

**Strike:** "Once" on line 18 through "fifty" on line 19

**Insert:** "Fifty"

HOUSE JOURNAL  
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 22, 2015

4. Page 1, line 21.

**Strike:** "EIGHTY"

**Insert:** "at least seventy-five"

**Strike:** "(80%)"

**Insert:** "(75%)"

**Strike:** "balance"

**Insert:** "tax"

5. Page 1, line 22.

**Following:** "fund,"

**Insert:** "a subtrust within the trust fund,"

**Strike:** "TWENTY" through "(20%)"

**Insert:** "portion"

**Strike:** "transferred"

**Insert:** "deposited"

6. Page 1, line 24.

**Strike:** "(b) Principal and interest"

**Insert:** "Interest"

7. Page 1, line 26 through line 27.

**Strike:** subsection (3) in its entirety

For the Senate:

Ripley, Chair

Facey

Rosendale

For the House:

G. Bennett, Vice Chair

Lieser

Noland

**FREE CONFERENCE COMMITTEE**  
on **Senate Bill 410**  
Report No. 001, April 21, 2015

Madam President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 410** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 410** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 14.

**Strike:** "AN IMMEDIATE"

**Insert:** "A DELAYED"

**Strike:** "A RETROACTIVE"

**Insert:** "AN"

HOUSE JOURNAL  
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 22, 2015

2. Page 9, line 7.

**Strike:** "2015"

**Insert:** "2016"

3. Page 9, line 8.

**Strike:** "2016"

**Insert:** "2017"

4. Page 10, line 19.

**Strike:** "2015"

**Insert:** "2016"

5. Page 10, line 20.

**Strike:** "2016"

**Insert:** "2017"

6. Page 26, line 23.

**Following:** line 22

**Insert:** "COORDINATION SECTION. **Section 29. Coordination instruction.** If both Senate Bill No. 171 and [this act] are passed and approved and if [this act] contains a section that amends 15-30-2110 and Senate Bill No. 171 contains a section that repeals 15-30-2110, then [section 1] of Senate Bill No. 171 must be amended as follows:

"NEW SECTION. **Section 1. Adjustments to federal taxable income to determine Montana taxable income.** (1) The items in subsection (2) are added to and the items in subsection (3) are subtracted from federal taxable income to determine Montana taxable income.

(2) The following are added to federal taxable income:

(a) to the extent that it is not exempt from taxation by Montana under federal law, interest from obligations of a territory or another state or any political subdivision of a territory or another state and exempt-interest dividends attributable to that interest except to the extent already included in federal taxable income;

(b) a withdrawal from a medical care savings account provided for in Title 15, chapter 61, used for a purpose other than an eligible medical expense or long-term care of the employee or account holder or a dependent of the employee or account holder;

(c) a nonqualified withdrawal from a family education savings account provided for in Title 15, chapter 62, to the extent that it was deducted from income in calculating Montana individual income taxes;

(d) a withdrawal from a first-time home buyer savings account provided for in Title 15, chapter 63, used for a purpose other than for eligible costs for the purchase of a single-family residence;

(e) an item of income, deduction, or expense to the extent that it was used to calculate federal taxable income if the item was also used to calculate a credit against a Montana income tax liability;

(f) a deduction or expense upon which a state tax credit is computed under 33-22-2006 to the extent that it was included as a deduction or expense in determining federal taxable income;

(g) a deduction for an income distribution from an estate or trust to a beneficiary that was

HOUSE JOURNAL  
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 22, 2015

included in the federal taxable income of an estate or trust in accordance with sections 651 and 661 of the Internal Revenue Code, 26 U.S.C. 651 and 661; and

(h) for a taxpayer that deducts state income taxes pursuant to section 164(a)(3) of the Internal Revenue Code, 26 U.S.C. 164(a)(3), an additional amount equal to the state income tax deduction claimed, not to exceed the amount required to reduce the federal itemized amount computed under section 161 of the Internal Revenue Code, 26 U.S.C. 161, to the amount of the federal standard deduction allowable under section 63(c) of the Internal Revenue Code, 26 U.S.C. 63(c).

(3) To the extent they are included as income or gain or not already excluded as a deduction or expense in determining federal taxable income, the following are subtracted from federal taxable income:

(a) if exempt from taxation by Montana under federal law:

(i) interest from obligations of the United States government and exempt-interest dividends attributable to that interest; and

(ii) railroad retirement benefits;

(b) salary received from the armed forces by residents who entered into active duty from Montana and are serving on active duty in the regular armed forces;

(c) interest and other income related to contributions that were made prior to January 1, 2016, that are retained in a medical care savings account provided for in Title 15, chapter 61, and any withdrawal for payment of eligible medical expenses or for the long-term care of the employee or account holder or a dependent of the employee or account holder;

(d) interest and other income related to contributions that were made prior to January 1, 2016, that are retained in a family education savings account provided for in Title 15, chapter 62, and any qualified withdrawal for payment of qualified higher education expenses;

(e) interest and other income related to contributions that were made prior to January 1, 2016, that are retained in a first-time home buyer savings account provided for in Title 15, chapter 63, and any withdrawal for payment of eligible costs for the first-time purchase of a single-family residence;

(f) a deduction for an income distribution from an estate or trust to a beneficiary in accordance with sections 651 and 661 of the Internal Revenue Code, 26 U.S.C. 651 and 661, recalculated according to the additions and subtractions in subsections (2), ~~and (3)(a) through (3)(e), and (3)(g), and (3)(h); and~~

(g) for each taxpayer that has attained the age of 65, an additional subtraction of \$6,400; and

(h) the amount of a scholarship to an eligible student by a student scholarship organization pursuant to [section 10 of Senate Bill No. 410].

(4) By November 1 of each year, the department shall multiply the subtraction from federal taxable income for a taxpayer that has attained the age of 65 contained in subsection (3)(g) by the inflation factor for that tax year, rounding the result to the nearest \$10. The resulting amount is effective for that tax year and must be used as the basis for the subtraction from federal taxable income determined under subsection (3)(g).""

**Renumber:** subsequent sections

HOUSE JOURNAL  
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 22, 2015

7. Page 26, line 28.

**Strike:** "on passage and approval"

**Insert:** "January 1, 2016"

8. Page 26, line 30 through page 27, line 1.

**Strike:** "Retroactive applicability"

**Insert:** "Applicability"

**Strike:** "retroactively, within the meaning of 1-2-109,"

**Strike:** "2014"

**Insert:** "2015"

9. Page 27, line 3.

**Strike:** "2021"

**Insert:** "2023"

For the Senate:  
L. Jones, Chair  
Hansen

For the House:  
Laszloffy, Vice Chair  
McClafferty  
Osmundson

**MESSAGES FROM THE SENATE**

**Governor's amendments to House bill** concurred in and returned to the House: 4/21/2015

**HB 34**, introduced by Ehli

**House bills** concurred in and returned to the House: 4/21/2015

**HB 421**, introduced by Berry

**HB 468**, introduced by Pierson

**HB 486**, introduced by Cook

**HB 559**, introduced by Kipp

**HB 577**, introduced by Holmlund

**HB 612**, introduced by Dudik

**HB 6** - The Senate acceded to the request of the House and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on **HB 6**:

4/22/2015

Senator Ripley, Chair  
Senator Keenan  
Senator Wolken

HOUSE JOURNAL  
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 22, 2015

**HB 33** - The Senate acceded to the request of the House and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on **HB 33**:

4/22/2015

Senator Keane, Chair  
Senator Caferro  
Senator Thomas

**MESSAGES FROM THE GOVERNOR**

April 21, 2015

The Honorable Austin Knudsen  
Speaker of the House  
State Capitol  
Helena, Montana 59620

Dear Speaker Knudsen:

Please be informed that I have signed **House Bill 284** sponsored by Representative Dudik on April 21, 2015.

Sincerely,

STEVE BULLOCK  
Governor

April 22, 2015

The Honorable Austin Knudsen  
Speaker of the House  
State Capitol  
Helena, Montana 59620

Dear Speaker Knudsen:

Please be informed that I have signed **House Bill 259** sponsored by Representative D. Moore, **House Bill 280** sponsored by Representative Essmann, **House Bill 318** sponsored by Representative Hill, and **House Bill 460** sponsored by Representative Mehlhoff on April 22, 2015.

Sincerely,

STEVE BULLOCK  
Governor



HOUSE JOURNAL  
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 22, 2015

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Doane in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 28 - Conference Committee Report No. 1** - Representative Eck moved the Conference Committee report to **HB 28** be adopted. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 98

Nays: Brodehl, Burnett.  
Total 2

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 283 - Free Conference Committee Report No. 1** - Representative Essmann moved the Free Conference Committee report to **SB 283** be adopted. Motion carried as follows:

Yeas: Berry, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Garner, Greef, Hagstrom, Hayman, Hess, Hill, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lang, Lieser, MacDonald, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noonan, Olsen, Osmundson, Pease-Lopez, Perry, Pierson, Pinocci, Pope, Price, Randall, Redfield, Richmond, Salomon, Shaw, Smith, Steenberg, Swanson, Webber, Welborn, Williams, Wilson, Woods.  
Total 59

HOUSE JOURNAL  
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 22, 2015

Nays: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, Burnett, Curdy, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Funk, Glimm, Harris, Hertz, Hollandsworth, Jones, Laszloffy, Lavin, Lynch, Mandeville, Miller, Monforton, Mortensen, Noland, Olszewski, Peppers, Person, Regier, Ricci, Schreiner, Schwaderer, Staffanson, Tropila, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 389 - Free Conference Committee Report No. 1** - Representative White moved the Free Conference Committee report to **SB 389** be adopted. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Peppers, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 63

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Noonan, Olsen, Pease-Lopez, Perry, Person, Pope, Price, Schreiner, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 37

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 4 - Senate Amendments** - Representative Ballance moved Senate amendments to **HB 4** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff,

HOUSE JOURNAL  
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 22, 2015

Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 93

Nays: B. Brown, Fitzpatrick, Glimm, Monforton, Schwaderer, Wittich, Zolnikov.  
Total 7

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 10 - Senate Amendments** - Representative McCarthy moved Senate amendments to **HB 10** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Funk, Garner, Greef, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Mr. Speaker.  
Total 59

Nays: Ballance, J. Bennett, Berglee, B. Brown, Burnett, Doane, Fiscus, Fitzpatrick, Flynn, Glimm, Hagstrom, Harris, Hertz, Hess, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov.  
Total 41

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 140 - Senate Amendments** - Representative Welborn moved Senate amendments to **HB 140** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth,

HOUSE JOURNAL  
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 22, 2015

Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Moore, Mortensen, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Wilson, Woods, Mr. Speaker.  
Total 81

Nays: J. Bennett, Brodehl, Glimm, Lamm, Lang, McKamey, Meyers, Monforton, Noland, Olszewski, Pinocci, Redfield, Schwaderer, Tschida, Wagoner, White, Williams, Wittich, Zolnikov.  
Total 19

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 150 - Senate Amendments** - Representative Flynn moved Senate amendments to **HB 150** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 94

Nays: Burnett, Lamm, Randall, Wittich, Zolnikov.  
Total 5

Excused: None.  
Total 0

Absent or not voting: Welborn.  
Total 1

HOUSE JOURNAL  
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 22, 2015

**HB 156 - Senate Amendments** - Representative Miller moved Senate amendments to **HB 156** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Dudik, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 86

Nays: B. Bennett, Court, Dunwell, Eck, Ellis, Funk, Hayman, Lieser, MacDonald, Monforton, Olsen, Williams, Wilson, Woods.

Total 14

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 167 - Senate Amendments** - Representative Welborn moved Senate amendments to **HB 167** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 95

Nays: Flynn, Wagoner, Webber, Wittich, Zolnikov.

Total 5

Excused: None.

Total 0

HOUSE JOURNAL  
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 22, 2015

Absent or not voting: None.

Total 0

**HB 191 - Senate Amendments** - Representative Eck moved Senate amendments to **HB 191** be not concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Schwaderer, Wagoner.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 223 - Senate Amendments** - Representative Clark moved Senate amendments to **HB 223** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 81

Nays: Ballance, J. Bennett, Berglee, B. Brown, Burnett, Essmann, Fitzpatrick, Flynn, Hertz, Lamm, Laszloffy, Monforton, Moore, Schwaderer, Staffanson, Tschida, Wagoner, White, Zolnikov.

Total 19

HOUSE JOURNAL  
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 22, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 211** - Representative Redfield moved **SB 211** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr.

Speaker.

Total 93

Nays: J. Bennett, Brodehl, Burnett, Monforton, White, Wittich, Zolnikov.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 228 - Senate Amendments** - Representative Berry moved Senate amendments to **HB 228** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 84

HOUSE JOURNAL  
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 22, 2015

Nays: J. Bennett, Brodehl, B. Brown, Burnett, Glimm, Jones, Lamm, Manzella, Monforton, Mortensen, Noland, Olszewski, Pinocci, Tropila, Tschida, Wittich.  
Total 16

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 300 - Senate Amendments** - Representative White moved Senate amendments to **HB 300** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.  
Total 96

Nays: Cook, Mandeville, Wagoner, Zolnikov.  
Total 4

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 403 - Senate Amendments** - Representative Hagstrom moved Senate amendments to **HB 403** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McConnell, McKamey,



HOUSE JOURNAL  
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 22, 2015

Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.  
Total 91

Nays: J. Bennett, Harris, Lamm, McClafferty, Monforton, Randall, Schwaderer, Wagoner, Zolnikov.  
Total 9

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 423 - Senate Amendments** - Representative Staffanson moved Senate amendments to **HB 423** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Kipp III, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Tschida, Wagoner, Welborn, White, Williams, Wittich, Zolnikov, Mr. Speaker.  
Total 60

Nays: B. Bennett, Z. Brown, Burnett, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Steenberg, Swanson, Tropila, Webber, Wilson, Woods.  
Total 40

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 463 - Senate Amendments** - Representative McCarthy moved Senate amendments to **HB 463** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Greef,

HOUSE JOURNAL  
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 22, 2015

Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 86

Nays: Berry, Brodehl, B. Brown, Cuffe, Fitzpatrick, Garner, Glimm, Hess, Noland, Olsen, Pinocci, Redfield, Tschida.

Total 13

Excused: None.

Total 0

Absent or not voting: Meyers.

Total 1

**HB 464 - Senate Amendments** - Representative Z. Brown moved Senate amendments to **HB 464** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Garner, Greef, Harris, Hayman, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Mortensen, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 63

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Hagstrom, Hess, Holmlund, Jones, Lang, Laszloffy, Manzella, Miller, Monforton, Noland, Olszewski, Pinocci, Redfield, Regier, Ricci, Schwaderer, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 37

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 22, 2015

**HB 488 - Senate Amendments** - Representative Regier moved Senate amendments to **HB 488** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 97

Nays: B. Bennett, Zolnikov.

Total 2

Excused: None.

Total 0

Absent or not voting: Hess.

Total 1

**HB 496 - Senate Amendments** - Representative White moved Senate amendments to **HB 496** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 51

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 49

Excused: None.

Total 0

HOUSE JOURNAL  
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 22, 2015

Absent or not voting: None.

Total 0

**HB 560 - Senate Amendments** - Representative Hertz moved Senate amendments to **HB 560** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Holmlund, Monforton, Wittich.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 599 - Senate Amendments** - Representative Randall moved Senate amendments to **HB 599** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 90

Nays: B. Bennett, Dunwell, Eck, Hayman, Lynch, Olsen, Pease-Lopez, Steenberg, Wilson.

Total 9

HOUSE JOURNAL  
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 22, 2015

Excused: None.

Total 0

Absent or not voting: Ehli.

Total 1

**HB 604 - Senate Amendments** - Representative Greef moved Senate amendments to **HB 604** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berry, Brodehl, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Regier, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 83

Nays: Berglee, B. Brown, Z. Brown, Burnett, Hagstrom, Hertz, Hess, Laszloffy, Monforton, Pinocci, Redfield, Ricci, Schwaderer, Tschida, Wagoner, White, Zolnikov.

Total 17

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 617 - Senate Amendments** - Representative Lavin moved Senate amendments to **HB 617** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 96

HOUSE JOURNAL  
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 22, 2015

Nays: Burnett, Harris, Monforton.

Total 3

Excused: None.

Total 0

Absent or not voting: Dudik.

Total 1

**HB 627 - Senate Amendments** - Representative Brodehl moved Senate amendments to **HB 627** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Monforton.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HJR 29** - Representative Olsen moved **HJR 29** be adopted. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 84

HOUSE JOURNAL  
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 22, 2015

Nays: Brodehl, B. Brown, Glimm, Hagstrom, Jones, Lamm, Manzella, Monforton, Noland, Pinocci, Redfield, Regier, Ricci, Tschida, Wagoner, White.

Total 16

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HJR 32** - Representative Woods moved **HJR 32** be adopted. Motion carried as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Garner, Hagstrom, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, McCarthy, McClafferty, McConnell, Mehlhoff, Mortensen, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Regier, Ricci, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Williams, Wilson, Woods.

Total 51

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, MacDonald, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Richmond, Staffanson, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 49

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HR 3** - Representative Cuffe moved **HR 3** be adopted. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 96

HOUSE JOURNAL  
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 22, 2015

Nays: Ballance, Burnett, Fiscus, Zolnikov.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 233** - Representative Wittich moved **SB 233** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 316** - Representative Harris moved **SB 316** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97



HOUSE JOURNAL  
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 22, 2015

Nays: Olszewski, Tropila, Wittich.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SJR 22** - Representative Hess moved **SJR 22** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Eck.

Total 1

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Doane moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price,

HOUSE JOURNAL  
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 22, 2015

Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Essmann, Olsen, Pease-Lopez.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 7** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 97

Nays: Monforton, Schwaderer, Zolnikov.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 22, 2015

**HB 9** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.  
Total 79

Nays: J. Bennett, B. Brown, Burnett, Doane, Essmann, Fitzpatrick, Glimm, Harris, Hess, Lamm, Manzella, Meyers, Monforton, Noland, Pinocci, Randall, Redfield, Schwaderer, Wagoner, Welborn, Zolnikov.  
Total 21

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 118** passed as follows:

Yeas: Ballance, B. Bennett, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Holmlund, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Zolnikov, Mr. Speaker.  
Total 80

Nays: J. Bennett, Berglee, B. Brown, Dunwell, Fiscus, Harris, Hollandsworth, Hunter, Lamm, Manzella, Monforton, Noonan, Olsen, Redfield, Ricci, Tschida, Wagoner, White, Wittich, Woods.  
Total 20

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 22, 2015

**HB 211** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 96

Nays: Burnett, Hagstrom, Wittich, Zolnikov.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 219** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Eck, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Peppers, Perry, Person, Pierson, Pinocci, Pope, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wittich, Zolnikov, Mr. Speaker.

Total 89

Nays: Dunwell, Ellis, Hunter, Lieser, McConnell, Noonan, Olsen, Pease-Lopez, Price, Wilson, Woods.

Total 11

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 22, 2015

**HB 226** passed as follows:

Yeas: B. Bennett, J. Bennett, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.  
Total 75

Nays: Ballance, Berglee, B. Brown, Cuffe, Doane, Ehli, Glimm, Harris, Hess, Lamm, Laszloffy, Manzella, Monforton, Mortensen, Noland, Olszewski, Peppers, Pinocci, Schwaderer, Tropila, Tschida, Wagoner, White, Wittich, Zolnikov.  
Total 25

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 487** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Ricci, Richmond, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 84

Nays: J. Bennett, Brodehl, Glimm, Lamm, Mandeville, Manzella, Meyers, Monforton, Noland, Pinocci, Randall, Regier, Salomon, Schwaderer, Wittich, Zolnikov.  
Total 16

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 22, 2015

**SB 261** concurred in as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 89

Nays: J. Bennett, Brodehl, B. Brown, Hagstrom, Lamm, Monforton, Mortensen, Wagoner, White, Wittich, Zolnikov.

Total 11

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 385** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, Burnett, Clark, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, B. Brown, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 40

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 22, 2015

**SJR 12** concurred in as follows:

Yeas: B. Bennett, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Regier, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson.

Total 69

Nays: Ballance, J. Bennett, Berglee, B. Brown, Burnett, Doane, Flynn, Glimm, Hagstrom, Harris, Hertz, Jones, Lamm, Laszloffy, Manzella, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 31

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**MOTIONS**

Majority Leader Regier moved to appoint a Conference Committee on **HB 191** and request the Senate to appoint a like committee. Motion carried. Speaker Knudsen appointed:

4/22/2015

Representative Doane

Representative Eck

Representative Ehli

Majority Leader Regier moved **SB 316** be moved from the Committee of the Whole to the Appropriations Committee.

**SPECIAL ORDERS OF THE DAY**

Representative Schwaderer introduced the Zylawy Brothers from Superior, Montana, who performed for the House.

HOUSE JOURNAL  
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 22, 2015

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 10:00 a.m., Thursday, April 23, 2015. Motion carried.

House adjourned at 3:17 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House



**HOUSE JOURNAL  
64TH LEGISLATURE  
EIGHTY-THIRD LEGISLATIVE DAY**

Helena, Montana  
April 23, 2015

House Chambers  
State Capitol

House convened at 10:00 a.m. Mr. Speaker presiding. Invocation by Representative Bob Brown. Pledge of Allegiance to the Flag. Roll Call. All members present, except Representative Kipp, excused. Quorum present.

**BILLS** (Welborn, Chair):

4/23/2015

Correctly printed: **SB 316**.

Correctly engrossed: **SB 416**.

Correctly enrolled: **HB 4, HB 28, HB 140, HB 150, HB 156, HB 167, HB 223, HB 228, HB 300, HB 306, HB 403, HB 423, HB 463, HB 464, HB 488, HB 496, HB 560, HB 599, HB 604, HB 617, HB 627**.

Transmitted to the Senate: **HB 8, HJR 29, HJR 32, SB 211, SB 233, SB 316, SJR 22, SJR 32**.  
Signed by the Speaker at 4:50 p.m., April 23, 2015: **HB 118, HB 123, HB 389, HB 421, HB 468, HB 486, HB 575, HB 612**.

Signed by the Chief Clerk of the House at 12:00 p.m., April 24, 2015: **HB 118, HB 123, HB 389, HB 421, HB 468, HB 486, HB 575, HB 612**.

**REPORTS OF STANDING COMMITTEES**

**APPROPRIATIONS** (Ballance, Chair):

4/23/2015

**SB 316**, be concurred in. Report adopted.

**SB 416**, be amended as follows:

1. Title, page 1, line 10.

**Following:** line 9

**Strike:** "INTERCAP"

2. Title, page 1, line 12.

**Following:** "TRANSFER;"

**Insert:** "PROVIDING RULEMAKING AUTHORITY; PROVIDING APPROPRIATIONS;"

3. Title, page 1, line 12.

**Strike:** "SECTION"

**Insert:** "SECTIONS"

**Following:** "15-10-420"

**Insert:** "AND 16-11-119"

4. Title, page 1, line 13.

**Following:** "MCA;"

**Insert:** "AMENDING SECTION 5, CHAPTER 324, LAWS OF 2011;"

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

5. Page 1, line 15.

**Strike:** everything after the enacting clause

**Insert:**        "NEW SECTION. Section 1. Definitions. For the purposes of [sections 1 through 14], unless otherwise provided, the following definitions apply:

(1) "Authority only" means approval provided by the legislature to expend money that does not require an appropriation, including grants, donations, auxiliary funds, proprietary funds, and university funds.

(2) "Capital project" means improvements or the planning, capital construction, environmental cleanup, renovation, or major repair projects authorized in [sections 11 through 14].

(3) "CPA" means the capital projects account provided for in 17-5-803 and 17-5-804.

(4) "Income to mill ratio" means a local government's median household income, as reported by the U.S. census bureau's American community survey, 2006-2010 5-year estimates, divided by its mills, as reported in the most recent biennial report of the department of revenue. The income to mill ratio for a county includes all state, county, county wide school, local school average mills, fire district average mills, and miscellaneous mills. The income to mill ratio for an incorporated city or town includes only the city average mills.

(5) "Infrastructure projects" means:

(a) drinking water systems;

(b) wastewater treatment;

(c) sanitary sewer or storm sewer systems;

(d) solid waste disposal and separation systems, including site acquisition, preparation, and monitoring;

(e) local roads; or

(f) bridges.

(6) "Local government" means an incorporated city or town, a county, a consolidated local government, a tribal government, a county or multicounty water, sewer, or solid waste district, or an authority as defined in 75-6-304."

**Insert:**        "NEW SECTION. Section 2. Local infrastructure accounts -- use. (1) There is within the state special revenue fund provided for in 17-2-102 an account called the local infrastructure grant program account to provide grant funding to local governments for local infrastructure projects. The department of commerce shall administer the account.

(2) There is within the state special revenue fund provided for in 17-2-102 an account called the local infrastructure loan program account to provide loans to local governments for matching funds required for a local infrastructure project to receive a grant under [section 3]. The department of commerce shall administer the account."

**Insert:**        "NEW SECTION. Section 3. Authorization for local infrastructure project grants -- matching funds requirement.(1) The department of commerce is authorized to make grants to local governments for infrastructure projects. The grants authorized in this section are subject to the conditions set forth in [section 7]. The department shall commit funds to projects until the funds deposited into the local infrastructure grant program account during the biennium beginning July 1, 2015, are expended.

(2) The department shall allocate \$3,514,423 of the funds in the local infrastructure grant

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

program account established in [section 2(1)] to the coal board provided for in 2-15-1821 for the purpose of awarding grants to local governments pursuant to Title 90, chapter 6, part 2.

(3) (a) If the amount deposited into the local infrastructure grant program account established in [section 2(1)] pursuant to [section 19] is \$30 million, the department shall grant at least 40% of the funds in the account to projects related to exploration or natural resource impacts.

(b) If the amount deposited into the local infrastructure grant program account established in [section 2(1)] pursuant to [section 19] is \$50 million or more, the department shall grant at least 35% of the funds in the account to projects related to exploration or natural resource impacts.

(4) A local government shall provide one-to-one matching funds up to the first \$750,000 of grant funding sought. For a grant request exceeding \$750,000, the relative participation ratio for the local government as calculated pursuant to [section 5] is applied to the amount of the grant exceeding \$750,000.

(5) Funding for projects may be provided only as long as there are sufficient funds available from the amount that was deposited or transferred into the local infrastructure grant program account established in [section 2(1)] during the biennium beginning July 1, 2015. Funding for these projects must be made available in the order that the grant recipients satisfy the conditions described in [section 7(1)]. However, any of the projects that have not completed the conditions described in [section 7(1)] by September 30, 2016, must be reviewed by the next regular session of the legislature to determine if the authorized grant should be withdrawn.

(6) If a grant recipient does not complete all of the conditions described in [section 7(1)] by September 30, 2018, any obligation to the grant recipient is extinguished."

**Insert: "NEW SECTION. Section 4. Eligibility -- submission deadline -- priority -- rulemaking authority.** (1) A local government may apply to the department of commerce for local infrastructure grants under [section 3]. A local government that has submitted a grant request for a local infrastructure project to the department within the last 2 years and that did not receive approval by the 64th legislature may resubmit the grant request on or before June 1, 2015, without resubmitting other grant materials if there is no material change to the originally submitted grant request.

(2) Projects that were approved for funding from the treasure state endowment program by the 64th legislature are not eligible for grants under [this act].

(3) For a project that was submitted for approval to the 64th legislature for funding from the treasure state endowment program but did not receive legislative approval for funding from the program, the amount of a grant for the project under [this act] may not exceed the amount of funding recommended for the project as described in the treasure state endowment program 2017 biennium report to the 64th legislature.

(4) All local governments that do not submit a grant request pursuant to subsection (1) shall submit grant requests and materials to the department by August 15, 2015, in order to be eligible for funding under [section 3].

(5) For projects having equal ranking, the department shall give higher consideration to projects that present a higher percentage of matching funds.

(6) The department is authorized to adopt rules necessary to implement [sections 1 through 10]."

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

**Insert:**        "NEW SECTION. Section 5. Formula for local government match rate based on relative participation ratio. (1) The match rate for a local government is calculated based on its relative participation ratio.

(2)(a) The relative participation ratio for a county is equal to its income to mill ratio divided by the median income to mill ratio of all counties in Montana.

(b) The relative participation ratio for an incorporated city or town is equal to its income to mill ratio divided by the median income to mill ratio of all incorporated cities and towns in Montana.

(c) The relative participation ratio for any other local government applicant is the same as for the county in which it is located.

(3) For a local government with a relative participation ratio of 1.0-1.5, the match rate is 12.5%. For a local government with a relative participation ratio greater than 1.5, the match rate is 25%. For a local government that is not a county, the county in which the local government is located shall also contribute its match rate as determined above.

(4) A local government's matching funds may not consist of grant funds from any state source."

**Insert:**        "NEW SECTION. Section 6. Criteria for local road grants -- application requirements. (1) Grants for local road projects made pursuant to [section 3] are available for:

(a) deferred maintenance, rehabilitation, and restoration, including projects designed to extend the life of existing road surfaces by pothole filling, crack sealing, chip sealing, graveling, asphaltting, and overlaying; and

(b) reconstruction.

(2) A local road project for reconstruction should be designed in accordance with road standards adopted by the local government, the Montana county gravel road standards established by the local technical assistance program at Montana state university, or the standards of the American association of state highway and transportation officials, as applicable.

(3) Each local government may submit no more than two applications for road projects for funding under [section 3]."

**Insert:**        "NEW SECTION. Section 7. Conditions of grants -- disbursement of funds.

(1) The disbursement of grant funds for the projects chosen by the department of commerce pursuant to [section 3] is subject to completion of the following conditions:

(a) The grant recipient shall document that other matching funds required for completion of the project are firmly committed.

(b) The grant recipient must have a project management plan that is approved by the department.

(c) The grant recipient must be in compliance with the auditing and reporting requirements provided in 2-7-503 and have established a financial accounting system that the department can reasonably ensure conforms to generally accepted accounting principles. Tribal governments shall comply with auditing and reporting requirements provided for in office of management and budget Circular A-133.

(d) The grant recipient shall execute a grant agreement with the department of commerce.

(2) With the exception of local roads and bridges, all projects must adhere to the design standards required by the department of environmental quality. Recipients of grants under [section 3] that are not subject to the department of environmental quality design standards shall adhere to generally accepted industry standards such as Recommended Standards for Wastewater

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

Facilities or Recommended Standards for Water Works, published by the Great Lakes-Upper Mississippi River board of state and provincial public health and environmental managers, latest edition.

(3) When applicable, recipients of grants under [section 3] are subject to the requirements of the department of commerce as described in the most recent edition of the Treasure State Endowment Program Project Administration Manual adopted by the department by administrative rule."

**Insert:**        "NEW SECTION. Section 8. Other powers and duties of department. (1) The department of commerce shall disburse grant funds on a reimbursement basis as grant recipients incur eligible project expenses.

(2) If actual project expenses are lower than the projected expense of the project, the department may, at its discretion:

(a) reduce the amount of grant funds to be provided to grant recipients in proportion to all other project funding sources; or

(b) authorize the use of the remaining authorized grant amounts for the construction of additional infrastructure components directly related to the approved project that will further enhance the overall system."

**Insert:**        "NEW SECTION. Section 9. Authorization to provide loans -- loan repayments to department -- conditions on loans -- transfer. (1) The department of commerce is authorized to make loans to local governments from the local infrastructure loan program account in [section 2(2)] for matching funds required for a local infrastructure project to receive a grant under [section 3]. A loan to a local government may not exceed the amount of matching funds required.

(2) Disbursement of loan proceeds for infrastructure projects under this section to a local government is subject to the conditions set forth in [section 7].

(3) The local government shall execute a loan agreement with the department of commerce prior to receiving loan proceeds.

(4) Payments made by a local government to the department for repayment of a loan made pursuant to subsection (1) must be deposited in the general fund.

(5) The amount of unencumbered funds in the local infrastructure loan program account on July 1, 2016, may be transferred to the local infrastructure grant program account on or after July 15, 2016."

**Insert:**        "NEW SECTION. Section 10. Maximum state funding available for infrastructure -- per project -- per county. (1) If the amount deposited into the local infrastructure grant program account established in [section (2)(1)] in the biennium beginning July 1, 2015, is \$60 million:

(a) the maximum amount of state funding under [this act], whether through grants or loans, may not exceed \$2.5 million per project; or

(b) the maximum amount of grant funding that may be received in a single county, including grant funding under [this act] and any grant funding awarded by the 64th legislature, may not exceed \$5 million.

(2) If the amount deposited into the local infrastructure grant program account established in [section 2(1)] in the biennium beginning July 1, 2015, is \$100 million:

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

(a) the maximum amount of state funding under [this act], whether through grants or loans, may not exceed \$3.75 million per project; or

(b) the maximum amount of grant funding that may be received in a single county, including grant funding under [this act] and any grant funding awarded by the 64th legislature, may not exceed \$7.5 million.

(3) If the amount deposited into the local infrastructure grant program account established in [section 2(1)] in the biennium beginning July 1, 2015, is \$125 million:

(a) the maximum amount of state funding under [this act], whether through grants or loans, may not exceed \$5 million per project; or

(b) the maximum amount of grant funding that may be received in a single county, including grant funding under [this act] and any grant funding awarded by the 64th legislature, may not exceed \$10 million."

**Insert:**        "NEW SECTION.   **Section 11. Authorization of capital projects.** (1) Upon passage and approval of [this act], the following projects, pursuant to 18-2-102, are authorized and approved from the indicated funding sources. The department of administration is authorized to transfer funding and authority between fund types. Funds not requiring legislative appropriation are included for the purposes of authorization only:

DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES

First Step - Mental Health

\$7.6 million (CPA)

MONTANA UNIVERSITY SYSTEM

Romney Hall - MSU Bozeman

\$18.4 million (CPA) \$4.6 million (Authority only)

(2) If the amount deposited into the capital projects fund pursuant to [section 15] in the biennium beginning July 1, 2015, is \$50 million, the following project, pursuant to 18-2-102, is also authorized and approved from the indicated funding sources. The department of administration is authorized to transfer funding and authority between fund types. Funds not requiring legislative appropriation are included for the purposes of authorization only:

DEPARTMENT OF ADMINISTRATION

Montana Heritage Center

\$25 million (CPA) \$5 million (Authority only)

(3) If the amount deposited into the capital projects fund pursuant to [sections 15 and 19] in the biennium beginning July 1, 2015, is \$75 million, the following projects, pursuant to 18-2-102, are authorized and approved from the indicated funding sources. The department of administration is authorized to transfer funding and authority between fund types. Funds not requiring legislative appropriation are included for the purposes of authorization only.

MONTANA UNIVERSITY SYSTEM

Missoula-UM-Renovation Clapp Science Building

\$10 million (CPA)

Library Renovation - MSU Billings

\$2.65 million (CPA)

Learning and Veteran Center, Great Falls College-MSU \$3 million (CPA)

Butte-MTECH - Renovate Engineering Facilities

\$6 million (CPA) \$4 million (Authority only)

MONTANA HERITAGE COMMISSION

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

Virginia City, Nevada City and Reeder's Alley \$1.6 million (CPA)  
DEPARTMENT OF FISH, WILDLIFE, & PARKS  
Lewis & Clark Caverns SP Electrical Upgrades  
\$1.75 million (CPA)"

**Insert:**        "NEW SECTION. Section 12. Planning and design. The department of administration may proceed with the planning and design of capital projects prior to the receipt of other funding sources. The department may use interentity loans in accordance with 17-2-107 to pay planning and design costs incurred before the receipt of funding from another funding source."

**Insert:**        "NEW SECTION. Section 13. Capital projects -- contingent funds. (1) Except as provided in subsection (2), if a capital project is financed in whole or in part with appropriations contingent on the receipt of funding from another funding source, the department of administration may not let the project for bid until the agency receiving funding has submitted a financial plan for approval by the director of the department of administration. (2) A financial plan may not be approved by the director if:

    (a) the level of funding provided under the financial plan deviates substantially from the funding level provided in [section 11] for that project; or

    (b) the scope of the project is substantially altered or revised from the preliminary plans presented for that project in the 2017 biennium long-range building program and as presented to the 64th legislature."

**Insert:**        "NEW SECTION. Section 14. Review by department of environmental quality. The department of environmental quality shall review capital projects authorized in [section 11] for potential inclusion in the state building energy conservation program under Title 90, chapter 4, part 6. When a review shows that a capital project will result in energy improvements, the project must be submitted to the energy conservation program for funding consideration. Funding provided under the energy conservation program guidelines must be used to offset or add to the authorized funding for the project, with the amount dependent on the annual utility savings resulting from the facility improvement. Agencies must be notified of potential funding after the review."

**Insert:**        "NEW SECTION. Section 15. Authorization of bonds -- conditions. (1) The board of examiners is authorized to issue and sell general obligation bonds in one or more series and from time to time for the purposes described in subsections (3) through (5) in addition to the amount of general obligation bonds outstanding on January 1, 2015.

    (2) The bonds under this section must be issued in accordance with the terms and in the manner required by Title 17, chapter 5, part 8. The authority granted to the board of examiners by this section is in addition to any other authorization to the board of examiners to issue and sell general obligation bonds.

    (3) On [the effective date of this act], the board of examiners is authorized to issue and sell general obligation bonds and deposit the proceeds as follows:

        (a) \$30 million of the proceeds from the bonds sold under this section must be deposited in the capital projects account provided for in 17-5-803 and 17-5-804; and

        (b) \$30 million of the proceeds from the bonds sold under this section must be deposited in the local infrastructure loan program account provided for in [section 2(2)].

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

(4) If the unaudited general fund revenue, including transfers in, for fiscal year ending June 30, 2015 as certified by the state treasurer is at least \$2.152 billion, the board of examiners is authorized to issue and sell additional general obligation bonds and deposit the proceeds as follows:

(a) \$20 million of the proceeds from the bonds sold under this section must be deposited in the capital projects account provided for in 17-5-803 and 17-5-804; and

(b) \$20 million of the proceeds from the bonds sold under this section must be deposited in the local infrastructure loan program account provided for in [section 2(2)]."

**Insert: "Section 16.** Section 15-10-420, MCA, is amended to read:

**"15-10-420. Procedure for calculating levy.** (1) (a) Subject to the provisions of this section, a governmental entity that is authorized to impose mills may impose a mill levy sufficient to generate the amount of property taxes actually assessed in the prior year plus one-half of the average rate of inflation for the prior 3 years. The maximum number of mills that a governmental entity may impose is established by calculating the number of mills required to generate the amount of property tax actually assessed in the governmental unit in the prior year based on the current year taxable value, less the current year's value of newly taxable property, plus one-half of the average rate of inflation for the prior 3 years.

(b) A governmental entity that does not impose the maximum number of mills authorized under subsection (1)(a) may carry forward the authority to impose the number of mills equal to the difference between the actual number of mills imposed and the maximum number of mills authorized to be imposed. The mill authority carried forward may be imposed in a subsequent tax year.

(c) For the purposes of subsection (1)(a), the department shall calculate one-half of the average rate of inflation for the prior 3 years by using the consumer price index, U.S. city average, all urban consumers, using the 1982-84 base of 100, as published by the bureau of labor statistics of the United States department of labor.

(2) A governmental entity may apply the levy calculated pursuant to subsection (1)(a) plus any additional levies authorized by the voters, as provided in 15-10-425, to all property in the governmental unit, including newly taxable property.

(3) (a) For purposes of this section, newly taxable property includes:

(i) annexation of real property and improvements into a taxing unit;

(ii) construction, expansion, or remodeling of improvements;

(iii) transfer of property into a taxing unit;

(iv) subdivision of real property; and

(v) transfer of property from tax-exempt to taxable status.

(b) Newly taxable property does not include an increase in value that arises because of an increase in the incremental value within a tax increment financing district.

(4) (a) For the purposes of subsection (1), the taxable value of newly taxable property includes the release of taxable value from the incremental taxable value of a tax increment financing district because of:

(i) a change in the boundary of a tax increment financing district;

(ii) an increase in the base value of the tax increment financing district pursuant to 7-15-4287; or

(iii) the termination of a tax increment financing district.



HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

(b) If a tax increment financing district terminates prior to the certification of taxable values as required in 15-10-202, the increment value is reported as newly taxable property in the year in which the tax increment financing district terminates. If a tax increment financing district terminates after the certification of taxable values as required in 15-10-202, the increment value is reported as newly taxable property in the following tax year.

(c) For the purpose of subsection (3)(a)(ii), the value of newly taxable class four property that was constructed, expanded, or remodeled property since the completion of the last reappraisal cycle is the current year market value of that property less the previous year market value of that property.

(d) For the purpose of subsection (3)(a)(iv), the subdivision of real property includes the first sale of real property that results in the property being taxable as class four property under 15-6-134 or as nonqualified agricultural land as described in 15-6-133(1)(c).

(5) Subject to subsection (8), subsection (1)(a) does not apply to:

(a) school district levies established in Title 20; or

(b) a mill levy imposed for a newly created regional resource authority.

(6) For purposes of subsection (1)(a), taxes imposed do not include net or gross proceeds taxes received under 15-6-131 and 15-6-132.

(7) In determining the maximum number of mills in subsection (1)(a), the governmental entity:

(a) may increase the number of mills to account for a decrease in reimbursements; and

(b) may not increase the number of mills to account for a loss of tax base because of legislative action that is reimbursed under the provisions of 15-1-121(7).

(8) The department shall calculate, on a statewide basis, the number of mills to be imposed for purposes of 15-10-108, 20-9-331, 20-9-333, 20-9-360, and 20-25-439. However, the number of mills calculated by the department may not exceed the mill levy limits established in those sections. The mill calculation must be established in tenths of mills. If the mill levy calculation does not result in an even tenth of a mill, then the calculation must be rounded up to the nearest tenth of a mill.

(9) (a) The provisions of subsection (1) do not prevent or restrict:

(i) a judgment levy under 2-9-316, 7-6-4015, or 7-7-2202;

(ii) a levy to repay taxes paid under protest as provided in 15-1-402;

(iii) an emergency levy authorized under 10-3-405, 20-9-168, or 20-15-326;

(iv) a levy for the support of a study commission under 7-3-184;

(v) a levy for the support of a newly established regional resource authority;

(vi) the portion that is the amount in excess of the base contribution of a governmental entity's property tax levy for contributions for group benefits excluded under 2-9-212 or 2-18-703; or

(vii) a levy for reimbursing a county for costs incurred in transferring property records to an adjoining county under 7-2-2807 upon relocation of a county boundary; or

(viii) a levy for the purpose of repaying a loan to finance matching funds for infrastructure projects in order to be eligible to receive a grant under [section 3].

(b) A levy authorized under subsection (9)(a) may not be included in the amount of property taxes actually assessed in a subsequent year.

(10) A governmental entity may levy mills for the support of airports as authorized in 67-10-402, 67-11-301, or 67-11-302 even though the governmental entity has not imposed a levy for the airport or the airport authority in either of the previous 2 years and the airport or airport

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

authority has not been appropriated operating funds by a county or municipality during that time.

(11) The department may adopt rules to implement this section. The rules may include a method for calculating the percentage of change in valuation for purposes of determining the elimination of property, new improvements, or newly taxable property in a governmental unit.""

**Insert:** "Section 17. Section 5, Chapter 324, Laws of 2011, is amended to read:

**Section 5. Capital project appropriations.** (1) There is appropriated ~~\$4,812,500~~ up to \$5,293,750 from state special revenue account established in section 2, Chapter 461, Laws of 2009, to the department of administration for the southwestern Montana veterans' home project.

(2) There is appropriated ~~\$8,937,500~~ \$9,831,250 from the federal special revenue fund to the department of administration for the southwestern Montana veterans' home project.

(3) The department of administration is authorized to transfer the appropriations in subsections (1) and (2) among the necessary fund types for this project."

**Insert:** "NEW SECTION. **Section 18. Authorization of bonds -- veterans' home in southwestern Montana.** (1) On [the effective date of this act], the board of examiners is authorized to issue and sell up to \$10 million in general obligation bonds for the purpose of funding the construction of the state veterans' home in southwestern Montana.

(2) The proceeds of the bonds authorized in subsection (a) are appropriated to the department of administration to be used for the construction of the state veterans' home in southwestern Montana.

(3) If federal grant funds for the construction of the veterans' home are received prior to the bonds being issued, the authority to issue bonds as provided for in subsection (a) is extinguished.

(4) If federal grant funds for the construction of the veterans' home are received after the bonds are issued, the federal grant funds must first be applied to pay off the bonds and any remaining proceeds of the bonds must be deposited into the general fund."

**Insert:** "NEW SECTION. **Section 19. General fund transfer.** (1) For the biennium beginning July 1, 2015, there is transferred \$30 million from the general fund to the local infrastructure grant program account provided for in [section 2(1)].

(2) If the unaudited general fund revenue, including transfers in, for the fiscal year ending June 30, 2015, as certified by the state treasurer is at least \$2.152 billion, there is transferred an additional \$20 million from the general fund to the local infrastructure grant program account provided for in [section 2(1)].

(3) If the unaudited general fund revenue, including transfers in, for the fiscal year ending June 30, 2016, as certified by the state treasurer is at least \$2.35 billion:

(a) an additional \$25 million from the general fund is transferred to the local infrastructure grant program account provided for in [section 2(1)]; and

(b) an additional \$25 million from the general fund is transferred to the capital projects account provided for in 17-5-803 and 17-5-804."

**Insert:** "NEW SECTION. **Section 20. Notification to tribal governments.** The secretary of state shall send a copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell Chippewa tribe."

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

**Insert:**        "NEW SECTION. Section 21. Codification instruction. [Sections 1 through 10] are intended to be codified as an integral part of Title 90, chapter 6, and the provisions of Title 90, chapter 6, apply to [sections 1 through 10]."

**Insert:**        "NEW SECTION. Section 22. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

**Insert:**        "NEW SECTION. Section 23. Creation of state debt. Because [section 15] authorizes the creation of state debt, Article VIII, section 8, of the Montana constitution requires a vote of two-thirds of the members of each house of the legislature for passage."

**Insert:**        "NEW SECTION. Section 24. Effective date. [This act] is effective on passage and approval."

**Insert:**        "NEW SECTION. Section 25. Termination. Except for [sections 11 through 14], [this act] terminates June 30, 2019."

And, as amended, be concurred in. Report adopted.

**REPORTS OF SELECT COMMITTEES**

CONFERENCE COMMITTEE  
on House Amendments to **Senate Bill 138**  
Report No. 002, April 22, 2015

Madam President and Mr. Speaker:

We, your Conference Committee met and considered House amendments to **Senate Bill 138** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **Senate Bill 138** (reference copy -- salmon) be amended as follows:

1. Page 2, line 6.

**Strike:** "ACTS REASONABLY AND"

2. Page 3, line 25.

**Strike:** "ACTS REASONABLY AND"

3. Page 4, line 6.

**Strike:** "ACTS REASONABLY AND"

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

For the Senate:  
Hoven, Chair  
Larsen  
Webb

For the House:  
Berry, Vice Chair  
Fitzpatrick  
Mehlhoff

**FREE CONFERENCE COMMITTEE**  
on **House Bill 6**  
Report No. 001, April 23, 2015

Madam President and Mr. Speaker:

We, your Free Conference Committee met and considered **House Bill 6** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **House Bill 6** (reference copy -- salmon) be accepted by the House.

For the Senate:  
Ripley, Chair  
Wolken

For the House:  
Cuffe, Vice Chair  
Hagstrom  
Tropila

**FREE CONFERENCE COMMITTEE**  
on **House Bill 33**  
Report No. 001, April 23, 2015

Madam President and Mr. Speaker:

We, your Free Conference Committee met and considered **House Bill 33** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **House Bill 33** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 7.

**Following:** "COUNTIES;"

**Insert:** "REDUCING LOCAL GOVERNMENT ENTITLEMENT SHARE PAYMENTS AND CERTAIN CALCULATIONS FOR THE PURPOSE OF PROVIDING FUNDING;"

2. Title, page 1, line 8.

**Strike:** "SECTION"

**Insert:** "SECTIONS 15-1-121 AND"

3. Page 1, line 12.

**Following:** line 11

**Insert:** "Section 1. Section 15-1-121, MCA, is amended to read:

"**15-1-121. Entitlement share payment -- purpose -- appropriation.** (1) As described in 15-1-120(3), each local government is entitled to an annual amount that is the replacement for revenue received by local governments for diminishment of property tax base and various

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

earmarked fees and other revenue that, pursuant to Chapter 574, Laws of 2001, amended by section 4, Chapter 13, Special Laws of August 2002, and later enactments, were consolidated to provide aggregation of certain reimbursements, fees, tax collections, and other revenue in the state treasury with each local government's share. The reimbursement under this section is provided by direct payment from the state treasury rather than the ad hoc system that offset certain state payments with local government collections due the state and reimbursements made by percentage splits, with a local government remitting a portion of collections to the state, retaining a portion, and in some cases sending a portion to other local governments.

(2) The sources of dedicated revenue that were relinquished by local governments in exchange for an entitlement share of the state general fund were:

(a) personal property tax reimbursements pursuant to sections 167(1) through (5) and 169(6), Chapter 584, Laws of 1999;

(b) vehicle, boat, and aircraft taxes and fees pursuant to:

(i) Title 23, chapter 2, part 5;

(ii) Title 23, chapter 2, part 6;

(iii) Title 23, chapter 2, part 8;

(iv) 61-3-317;

(v) 61-3-321;

(vi) Title 61, chapter 3, part 5, except for 61-3-509(3), as that subsection read prior to the amendment of 61-3-509 in 2001;

(vii) Title 61, chapter 3, part 7;

(viii) 5% of the fees collected under 61-10-122;

(ix) 61-10-130;

(x) 61-10-148; and

(xi) 67-3-205;

(c) gaming revenue pursuant to Title 23, chapter 5, part 6, except for the permit fee in 23-5-612(2)(a);

(d) district court fees pursuant to:

(i) 25-1-201, except those fees in 25-1-201(1)(d), (1)(g), and (1)(j);

(ii) 25-1-202;

(iii) 25-9-506; and

(iv) 27-9-103;

(e) certificate of title fees for manufactured homes pursuant to 15-1-116;

(f) financial institution taxes collected pursuant to the former provisions of Title 15, chapter 31, part 7;

(g) all beer, liquor, and wine taxes pursuant to:

(i) 16-1-404;

(ii) 16-1-406; and

(iii) 16-1-411;

(h) late filing fees pursuant to 61-3-220;

(i) title and registration fees pursuant to 61-3-203;

(j) veterans' cemetery license plate fees pursuant to 61-3-459;

(k) county personalized license plate fees pursuant to 61-3-406;

(l) special mobile equipment fees pursuant to 61-3-431;

(m) single movement permit fees pursuant to 61-4-310;

(n) state aeronautics fees pursuant to 67-3-101; and

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

(o) department of natural resources and conservation payments in lieu of taxes pursuant to Title 77, chapter 1, part 5.

(3) (a) Except as provided in subsection (3)(b), the total amount received by each local government in the prior fiscal year 2010 as an entitlement share payment under this section is the base component for the subsequent fiscal year 2011 distribution, and in each subsequent year the prior year entitlement share payment, including any reimbursement payments received pursuant to subsection (7), is each local government's base component. ~~The Subject to subsection (3)(b), the sum of all local governments' base components is the fiscal year entitlement share pool.~~

(b) ~~The For fiscal year 2016, the fiscal year entitlement share pool is reduced by \$1,049,904 total amount received by each local government in fiscal year 2011 as an entitlement share payment under this section is the base component for fiscal year 2012 and 2013 distributions, and in each subsequent year the prior year entitlement share payment, including any reimbursement payments received pursuant to subsection (7), is each local government's base component. The sum of all local governments' base components is the fiscal year entitlement share pool.~~

(4) (a) ~~With the exception of fiscal years 2012 and 2013~~ Subject to subsection (3)(b), the base entitlement share pool must be increased annually by an entitlement share growth rate as provided for in this subsection (4). The amount determined through the application of annual growth rates is the entitlement share pool for each fiscal year, ~~with the exception of fiscal years 2012 and 2013.~~

(b) By October 1 of each year, the department shall calculate the growth rate of the entitlement share pool for the current year in the following manner:

(i) The department shall calculate the entitlement share growth rate based on the ratio of two factors of state revenue sources for the first, second, and third most recently completed fiscal years as recorded on the statewide budgeting and accounting system. The first factor is the sum of the revenue for the first and second previous completed fiscal years received from the sources referred to in ~~subsection~~ subsections (2)(b), (2)(c), and (2)(g) divided by the sum of the revenue for the second and third previous completed fiscal years received from the same sources multiplied by 0.75. The second factor is the sum of the revenue for the first and second previous completed fiscal years received from individual income tax as provided in Title 15, chapter 30, and corporate income tax as provided in Title 15, chapter 31, divided by the sum of the revenue for the second and third previous completed fiscal years received from the same sources multiplied by 0.25.

(ii) Except as provided in subsection (4)(b)(iii), the entitlement share growth rate is the lesser of:

(A) the sum of the first factor plus the second factor; or

(B) 1.03 for counties, 1.0325 for consolidated local governments, and 1.035 for cities and towns.

(iii) In no instance can the entitlement growth factor be less than 1. ~~The Subject to subsection (4)(b)(iv), the entitlement share growth rate is applied to the most recently completed fiscal year entitlement payment to determine the subsequent fiscal year payment.~~

(iv) For fiscal year 2016, the entitlement share growth rate is applied to the most recently completed fiscal year entitlement payment minus \$1,049,904 to determine the subsequent fiscal year payment.

(5) As used in this section, "local government" means a county, a consolidated local government, an incorporated city, and an incorporated town. A local government does not include a tax increment financing district provided for in subsection (8). The county or consolidated local

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

government is responsible for making an allocation from the county's or consolidated local government's share of the entitlement share pool to each special district within the county or consolidated local government in a manner that reasonably reflects each special district's loss of revenue sources for which reimbursement is provided in this section. The allocation for each special district that existed in 2002 must be based on the relative proportion of the loss of revenue in 2002.

(6) (a) The entitlement share pools calculated in this section, the amounts determined under 15-1-123(2) for local governments, the funding provided for in subsection (8) of this section, and the amounts determined under 15-1-123(4) for tax increment financing districts are statutorily appropriated, as provided in 17-7-502, from the general fund to the department for distribution to local governments. Except for the distribution made under 15-1-123(2)(b), the distributions must be made on a quarterly basis.

(b) (i) The growth amount is the difference between the entitlement share pool in the current fiscal year and the entitlement share pool in the previous fiscal year. The growth factor in the entitlement share must be calculated separately for:

- (A) counties;
- (B) consolidated local governments; and
- (C) incorporated cities and towns.

(ii) In each fiscal year, the growth amount for counties must be allocated as follows:

(A) 50% of the growth amount must be allocated based upon each county's percentage of the prior fiscal year entitlement share pool for all counties; and

(B) 50% of the growth amount must be allocated based upon the percentage that each county's population bears to the state population not residing within consolidated local governments as determined by the latest interim year population estimates from the Montana department of commerce as supplied by the United States bureau of the census.

(iii) In each fiscal year, the growth amount for consolidated local governments must be allocated as follows:

(A) 50% of the growth amount must be allocated based upon each consolidated local government's percentage of the prior fiscal year entitlement share pool for all consolidated local governments; and

(B) 50% of the growth amount must be allocated based upon the percentage that each consolidated local government's population bears to the state's total population residing within consolidated local governments as determined by the latest interim year population estimates from the Montana department of commerce as supplied by the United States bureau of the census.

(iv) In each fiscal year, the growth amount for incorporated cities and towns must be allocated as follows:

(A) 50% of the growth amount must be allocated based upon each incorporated city's or town's percentage of the prior fiscal year entitlement share pool for all incorporated cities and towns; and

(B) 50% of the growth amount must be allocated based upon the percentage that each city's or town's population bears to the state's total population residing within incorporated cities and towns as determined by the latest interim year population estimates from the Montana department of commerce as supplied by the United States bureau of the census.

(v) In each fiscal year, the amount of the entitlement share pool before the growth amount or adjustments made under subsection (7) are applied is to be distributed to each local government in the same manner as the entitlement share pool was distributed in the prior fiscal year.

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

(7) If the legislature enacts a reimbursement provision that is to be distributed pursuant to this section, the department shall determine the reimbursement amount as provided in the enactment and add the appropriate amount to the entitlement share distribution under this section. The total entitlement share distributions in a fiscal year, including distributions made pursuant to this subsection, equal the local fiscal year entitlement share pool. The ratio of each local government's distribution from the entitlement share pool must be recomputed to determine each local government's ratio to be used in the subsequent year's distribution determination under subsections (6)(b)(ii)(A), (6)(b)(iii)(A), and (6)(b)(iv)(A).

(8) (a) Except for a tax increment financing district entitled to a reimbursement under 15-1-123(4), if a tax increment financing district was not in existence during the fiscal year ending June 30, 2000, then the tax increment financing district is not entitled to any funding. If a tax increment financing district referred to in subsection (8)(b) terminates, then the funding for the district provided for in subsection (8)(b) terminates.

(b) Except for the reimbursement made under 15-1-123(4)(b), one-half of the payments provided for in this subsection (8)(b) must be made by November 30 and the other half by May 31 of each year. Subject to subsection (8)(a), the entitlement share for tax increment financing districts is as follows:

Deer Lodge	TIF District 1	\$2,833
Deer Lodge	TIF District 2	2,813
Flathead	Kalispell - District 2	4,638
Flathead	Kalispell - District 3	37,231
Flathead	Whitefish District	148,194
Gallatin	Bozeman - downtown	31,158
Missoula	Missoula - 1-1C	225,251
Missoula	Missoula - 4-1C	30,009
Silver Bow	Butte - uptown	255,421

(9) The estimated fiscal year entitlement share pool and any subsequent entitlement share pool for local governments do not include revenue received from tax increment financing districts, from countywide transportation block grants, or from countywide retirement block grants.

(10) When there has been an underpayment of a local government's share of the entitlement share pool, the department shall distribute the difference between the underpayment and the correct amount of the entitlement share. When there has been an overpayment of a local government's entitlement share, the local government shall remit the overpaid amount to the department.

(11) A local government may appeal the department's estimation of the base component, the entitlement share growth rate, or a local government's allocation of the entitlement share pool, according to the uniform dispute review procedure in 15-1-211.

(12) A payment required pursuant to this section may not be offset by a debt owed to a state agency by a local government in accordance with Title 17, chapter 4, part 1."

**Renumber:** subsequent sections

4. Page 2, line 13.

**Following:** "used"

**Insert:** "in the following order"



HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

5. Page 2, line 16 through line 18.

**Strike:** "; OR" on line 16 through "YEARS" on line 18

6. Page 2, line 21 through line 30.

**Strike:** "IF A COUNTY" on line 21 through "PURPOSES." on line 30

**Renumber:** subsequent subsections

7. Page 3, line 13.

**Strike:** "2"

**Insert:** "3"

For the Senate:

Keenan, Chair

Caferro

Thomas

For the House:

Ehli, Vice Chair

Schreiner

**FREE CONFERENCE COMMITTEE**

on **Senate Bill 260**

Report No. 001, April 23, 2015

Madam President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 260** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 260** (reference copy -- salmon) be amended as follows:

1. Page 13, line 14.

**Strike:** "2024"

**Insert:** "2019"

For the Senate:

F. Moore, Chair

Facey

Rosendale

For the House:

Laszloffy, Vice Chair

McClafferty

Monforton

**CONFERENCE COMMITTEE**

on Senate Amendments to **House Bill 10**

Report No. 001, April 23, 2015

Madam President and Mr. Speaker:

We, your Conference Committee met and considered Senate amendments to **House Bill 10** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

And, recommend that **House Bill 10** (reference copy -- salmon) be amended as follows:

1. Page 3, line 2.

**Strike:** "1,500,000" in both places

**Insert:** "\$1,000,000" in both places

2. Page 3, line 5.

**Strike:** "3,000,000"

**Insert:** "2,000,000"

**Strike:** "27,000,000"

**Insert:** "18,000,000"

**Strike:** "30,000,000"

**Insert:** "20,000,000"

3. Page 3, line 12.

**Strike:** "\$11.8"

**Insert:** "\$10.3"

4. Page 4, line 3.

**Strike:** "or third parties"

5. Page 4, line 6.

**Following:** "Efficiencies."

**Insert:** "(1)"

6. Page 4, line 9.

**Following:** line 8

**Insert:** "(2) State agencies are authorized to utilize existing appropriation authority to support or enhance enterprise electronic content management services."

7. Page 5, line 21.

**Following:** line 20

**Insert:** "(3) In addition to the amounts authorized in [this act], the department may utilize its existing appropriation authority to take advantage of the A-87 cost allocation waiver."

For the Senate:

Ripley, Chair

Blasdel

Caferro

For the House:

McCarthy, Vice Chair

Ehli

Lavin

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

**FREE CONFERENCE COMMITTEE**  
on **House Bill 2**  
Report No. 001, April 23, 2015

Madam President and Mr. Speaker:

We, your Free Conference Committee met and considered **House Bill 2** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **House Bill 2** (reference copy -- salmon) be amended as follows:

1. Page BP-2, line 8

**Following:** "APPROPRIATIONS."

**Insert:** "(1)"

**Following:** "GENERAL FUND"

**Insert:** ", except the appropriations to the department of public health and human services which are from the state special revenue fund,"

2. Page BP-2, line 9.

**Strike:** "GENERAL"

**Insert:** "appropriate"

3. Page BP-2, line 14

**Strike:** "\$9,000,000"

**Insert:** "\$7,500,000"

4. Page BP-2, line 22

**Strike:** "\$7,000,000"

**Insert:** "\$5,500,000"

5. Page BP-2.

**Following:** line 22

**Insert:** "Department of Public Health and Human Services

Health Resources Division                      \$4,000,000

Developmental Services Division              \$1,000,000"

**Insert:** "(2) The appropriation to the Developmental Services Division is restricted to the implementation of SB 411."

6. Page A-1.

**Following:** line 5

**Insert:** "a. Employee Pay and State Share"

**Insert:** "146,685 443,140"      [General Fund FY16 & FY17]

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

7. Page A-1.

**Following:** line 17

**Insert:** "Employee Pay and State Share may be allocated and transferred among agency programs when establishing 2017 biennium operating plans."

8. Page A-1.

**Following:** line 21

**Insert:** "a. Employee Pay and State Share"

**Insert:** "6,399 19,290" [State Special Fund FY16 & FY17]

9. Page A-2.

**Following:** line 14

**Insert:** "c. Employee Pay and State Share"

**Insert:** "5,469,796 16,769,056" [General Fund FY16 & FY17]

**Insert:** "4,347,194 13,263,238" [State Special Fund FY16 & FY17]

**Insert:** "2,856,913 8,708,832" [Federal Special Fund FY16 & FY17]

**Insert:** "95,995 291,650" [Proprietary FY16 & FY17]

**Insert:** "d. Personal Services Contingency (Restricted/Biennial/OTO)"

**Insert:** "1,000,000" [General Fund FY16]

**Insert:** "600,000" [State Special Fund FY16]

**Insert:** "125,000" [Federal Special Fund FY16]

**Insert:** "25,000" [Proprietary FY16]

10. Page A-2.

**Following:** line 14

**Insert:** "c. Contingency Base Funding"

**Insert:** "3,073,956 2,969,078" [General Fund FY16 & FY17]

**Insert:** "3,346,751 3,875,028" [State Special Fund FY16 & FY17]

**Insert:** "1,716,017 3,818,309" [Federal Special Fund FY16 & FY17]

11. Page A-3.

**Following:** line 11

**Insert:** "Employee Pay and State Share may be allocated and transferred among executive branch agency programs when establishing 2017 biennium operating plans."

**Insert:** "Personal Services Contingency may be distributed by the office of budget and program planning when personnel vacancies do not occur, retirement costs exceed agency resources, or other personal services contingencies arise."

**Insert:** "Contingency Base Funding is to be allocated and transferred at the discretion of the budget director in an amount determined by the budget director. Contingency Base Funding may not be allocated to the office of public instruction for implementation of a prekindergarten or public preschool program. Contingency Base Funding may be included in the base budget for the executive's proposed budget for the biennium beginning July 1, 2017."

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

12. Page A-3.

**Following:** line 11

**Insert:** "Contingency Base Funding may not be transferred to the department of natural resources and conservation to fund an increase in rent expenses."

13. Page A-4, following line 19.

**Insert:** "c. Insure Montana (OTO)

4,500,000" [General Fund FY16]

14. Page A-6, line 6.

**Strike:** "9,494,406 9,594,738" [General Fund FY16 & FY17]

**Insert:** "9,473,831 9,584,841" [General Fund FY16 & FY17]

15. Page A-6.

**Following:** line 27

**Insert:** "c. Labor-Management Training Initiative (Restricted/Biennial/OTO)"

**Insert:** "75,000" [General Fund FY16]

16. Page A-7, line 14.

**Strike:** "828,604 829,689" [General Fund FY16 & FY17]

**Insert:** "855,604 856,689" [General Fund FY16 & FY17]

17. Page A-7.

**Strike:** line 17

**Insert:** "b. Original Governor's Mansion (Restricted)"

18. Page A-7.

**Strike:** line 20 in its entirety

**Insert:** "1,627,438 1,632,185" [General Fund FY16 & FY17]

19. Page A-10.

**Following:** line 6

**Insert:** "i. Primary Sector Business Training (Biennial)"

**Insert:** "1,280,000 1,280,000" [State Special Fund FY16 & FY17]

20. Page A-11, line 15.

**Strike:** "10,961,055 10,895,433" [State Special Fund FY16 & FY17]

**Insert:** "10,337,778 10,361,940" [State Special Fund FY16 & FY17]

21. Page A-11.

**Following:** line 15

**Insert:** "a. Workforce Development (Restricted/Biennial)"

**Insert:** "1,761,476" [State Special Fund FY16]

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

22. Page A-11, line 19.

**Strike:** "5,005,136 4,998,896" [State Special Fund FY16 & FY17]

**Insert:** "4,371,703 4,354,111" [State Special Fund FY16 & FY17]

23. Page A-13.

**Following:** line 3

**Insert:** "If SB 405 and SB 418 are not passed and approved, then Workforce Development is void. The amount appropriated in Workforce Development from the employment security account provided for in 39-51-409 is restricted to the purpose of implementing [sections 14 through 17 of SB 405]."

24. Page B-4, line 5.

**Strike:** "72,041,255 73,825,821" [State Special FY16 & FY17]

**Insert:** "74,660,826 77,157,755" [State Special FY16 & FY17]

25. Page B-4, line 6.

**Strike:** "146,425,667 154,625,870" [General Fund FY16 & FY17]

**Insert:** "143,806,096 151,293,936" [General Fund FY16 & FY17]

26. Page B-4, line 8.

**Strike:** "3,399,535 [General Fund FY17]

279,113 [State Special FY17]

7,205,342" [Federal Funds FY17]

**Insert:** "2,373,343 [General Fund FY17]

278,123 [State Special FY17]

5,234,968" [Federal Funds FY17]

27. Page B-4, line 26.

**Strike:** "74,900,654" [General Fund FY17]

**Insert:** "64,072,240" [General Fund FY17]

28. Page B-6.

**Following:** line 5

**Insert:** "If SB 411 is passed and approved, the Developmental Services Division will be reduced by \$2,792,472 in general fund in FY 2017."

29. Page B-6, following line 15.

**Insert:** "Addictive and Mental Disorders Division includes a general fund reduction of \$10,828,414 in FY 2017. This reduction may be reallocated among divisions when establishing the 2017 biennium operating plan."

30. Page B-6.

**Strike:** lines 23 through 24 in their entirety

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

31. Page B-7.

**Strike:** line 1 through line 2 in their entirety

32. Page B-7, line 3.

**Following:** "IF"

**Insert:** "nonrestricted"

33. Page B-7, line 4.

**Following:** "EXCEED"

**Strike:** "\$295,652,291"

**Insert:** "\$290,632,967"

**Following:** "EXPENDITURES"

**Strike:** "MADE"

**Insert:** "incurred"

34. Page B-7, line 6.

**Following:** "IF"

**Insert:** "nonrestricted"

35. Page B-7, line 7.

**Following:** "EXCEED"

**Strike:** "\$295,652,291"

**Insert:** "\$290,632,967"

36. Page B-7, line 8.

**Following:** "EXPENDITURES"

**Strike:** "MADE"

**Insert:** "incurred"

37. Page B-7, line 9.

**Following:** "IF"

**Insert:** "nonrestricted"

38. Page B-7, line 10.

**Following:** "EXCEED"

**Strike:** "\$295,652,291"

**Insert:** "\$290,632,967"

39. Page B-7, line 11.

**Following:** "EXPENDITURES"

**Strike:** "MADE"

**Insert:** "incurred"

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

40. Page B-7, line 12.

**Following:** "IF"

**Insert:** "nonrestricted"

41. Page B-7, line 13.

**Following:** "EXCEED"

**Strike:** "\$295,652,291"

**Insert:** "\$290,632,967"

**Following:** "EXPENDITURES"

**Strike:** "MADE"

**Insert:** "incurred"

42. Page B-7, line 15.

**Following:** "IF"

**Insert:** "nonrestricted"

43. Page B-7, line 16.

**Following:** "EXCEED"

**Strike:** "\$312,172,729"

**Insert:** "\$305,216,366"

**Following:** "EXPENDITURES"

**Strike:** "MADE"

**Insert:** "incurred"

44. Page B-7, line 18.

**Following:** "IF"

**Insert:** "nonrestricted"

45. Page B-7, line 19.

**Following:** "EXCEED"

**Strike:** "\$312,172,729"

**Insert:** "\$305,216,366"

46. Page B-7, line 20.

**Following:** "EXPENDITURES"

**Strike:** "MADE"

**Insert:** "incurred"

47. Page B-7, line 21.

**Following:** "IF"

**Insert:** "nonrestricted"



HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

48. Page B-7, line 22.

**Following:** "EXCEED"

**Strike:** "\$312,172,729"

**Insert:** "\$305,216,366"

49. Page B-7, line 23.

**Following:** "EXPENDITURES"

**Strike:** "MADE"

**Insert:** "incurred"

50. Page B-7, line 24.

**Following:** "IF"

**Insert:** "nonrestricted"

51. Page B-7, line 25.

**Following:** "EXCEED"

**Strike:** "\$312,172,729"

**Insert:** "\$305,216,366"

**Following:** "EXPENDITURES"

**Strike:** "MADE"

**Insert:** "incurred"

52. Page B-8, line 2.

**Following:** "\$312,172,729 FOR"

**Strike:** "FFY2017"

**Insert:** "FY 2017"

**Following:** "TOTAL OF"

**Insert:** "nonrestricted"

53. Page C-1, line 27

**Strike:** "2,841,577 2,843,501" [State Special Fund FY16 & FY17]

**Insert:** "2,491,577 2,493,501" [State Special Fund FY16 & FY17]

54. Page C-1

**Following:** line 27

**Insert:** "a. Shooting Range Grants 350,000 350,000"  
[State Special Fund FY16 & FY17]

55. Page C-2.

**Following:** line 14

**Insert:** "Hunting Access Program Landowner Contracts may be used either for hunter access program payments to landowners or field services provided to manage hunting on block management areas. The department will report on Hunting Access Program Landowner Contracts to the environmental quality council in terms of acres, costs, and services"

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

provided to manage hunting on block management areas 90 days after big game hunting season ends."

56. Page C-3, line 26.

**Strike:** "29,581,359 29,837,739" [State Special Fund FY16 & FY17]

**Insert:** "29,656,359 29,912,739" [State Special Fund FY16 & FY17]

57. Page C-4.

**Following:** line 26

**Insert:** "It is the intent of the legislature that the interoperability radio operations be administered by the department of transportation."

58. Page C-6.

**Strike:** line 17

**Insert:** " 4,051,749 4,106,524 " [General Fund FY16 & FY17]

**Insert:** " 1,985,522 1,989,676 " [State Special Fund FY16 & FY 17]

**Insert:** " 293,198 289,622 " [Federal Special Fund FY16 & FY17]

59. Page C-6.

**Strike:** line 20 through line 21

60. Page C-6, line 23.

**Strike:** "1,973,620 1,974,586" [State Special Fund FY16 & FY17]

**Insert:** "1,987,232 1,988,198" [State Special Fund FY16 & FY17]

61. Page C-6.

**Strike:** line 25 through line 26

62. Page C-7, line 1.

**Strike:** "285,940 284,438" [Federal Special Fund FY16 & FY17]

**Insert:** "294,496 295,947" [Federal Special Fund FY16 & FY17]

63. Page C-7.

**Strike:** line 4

**Insert:** "1,741,282 1,729,316" [General Fund FY16 and FY17]

**Insert:** "6,796,203 6,704,605" [State Special Fund FY16 & FY17]

64. Page C-7.

**Strike:** line 11 through line 12

**Renumber:** subsequent subsections

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

65. Page C-7.

**Strike:** line 26

**Insert:** "9,388,318 9,390,051" [General Fund FY16 & FY17]

**Insert:** "6,428,465 6,283,403" [State Special Fund FY16 & FY17]

**Insert:** "193,455 193,181" [Federal Special Fund FY16 & FY17]

66. Page C-7.

**Strike:** line 27

67. Page C-8.

**Strike:** line 1 through line 2

**Renumber:** subsequent subsections

68. Page C-8.

**Strike:** line 8

**Insert:** " 12,191,118 12,258,791 " [General Fund FY16 & FY17]

**Insert:** " 17,089,438 17,052,993 " [State Special Fund FY16 & FY17]

69. Page C-8.

**Strike:** line 13 through line 14

**Renumber:** subsequent subsections

**Strike:** line 26

70. Page C-9.

**Strike:** line 14 through line 16.

71. Page C-9.

**Following:** line 18

**Insert:** "The department is appropriated up to \$600,000 for the 2017 biennium from the loan loss reserve account of the private loan program established in 85-1-603 for the purchase of prior liens on property held as loan security as provided in 85-1-615."

72. Page C-10, line 4

**Strike:** "438,831 438,528" [Proprietary FY16 & FY17]

**Insert:** "499,219 498,916" [Proprietary FY16 & FY17]

73. Page D-1.

**Following:** line 20

**Insert:** "h. Employee Pay and State Share"

**Insert:** "434,830 1,306,944" [General Fund FY16 & FY17]

**Insert:** "26,901 80,976" [State Special Fund FY16 & FY17]

**Insert:** "617 1,832" [Federal Special Fund FY16 & FY17]

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

74. Page D-2.

**Following:** line 8

**Insert:** "Employee Pay and State Share may be allocated and transferred among agency programs when establishing 2017 biennium operating plans."

75. Page D-2, line 12.

**Strike:** "2,490,460    2,489,707"    [General Fund FY16 & FY17]

**Insert:** "2,465,829    2,465,858"    [General Fund FY16 & FY17]

76. Page D-2, line 27.

**Strike:** "3,055,915   3,079,581"    [State Special Fund FY16 & FY17]

**Insert:** "3,120,915   3,144,581"    [State Special Fund FY16 & FY17]

77. Page D-3.

**Strike:** line 10 in its entirety

**Insert:** "36,318,393   36,492,543"    [State Special Fund FY16 & FY17]

78. Page D-4, following line 9.

**Insert:** "If HB 628 is not passed and approved, Motor Vehicle Division is increased in state special revenue by \$1,697,988 in FY 2016 and \$1,703,961 in FY 2017."

79. Page D-6, line 12.

**Strike:** "76,413,870    76,495,322"    [General Fund FY16 & FY17]

**Insert:** "75,610,890    75,692,342"    [General Fund FY16 & FY17]

80. Page D-6, line 17.

**Strike:** "615,700        615,700"    [General Fund FY16 & FY17]

**Insert:** "386,200        386,200"    [General Fund FY16 & FY17]

81. Page D-7, line 11.

**Strike:** "20,344,389   20,348,766"    [General Fund FY16 & FY17]

**Insert:** "11,265,994   11,270,371"    [General Fund FY16 & FY17]

82. Page D-7, line 19.

**Strike:** "500,000   500,000"    [General Fund FY16 & FY17]

**Insert:** "9,328,395   9,328,395"    [General Fund FY16 & FY17]

83. Page D-7, following line 25.

**Insert:** "Secure Custody Facilities includes funding to hold inmates in county jails. It is the intent of the legislature that the department of corrections may pay no more than \$69 per day to hold an inmate in any county jail. If the department of corrections certifies to the budget director that it cannot obtain the number of beds required to house inmates in county jails

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

at the \$69 rate and the budget director verifies the certification, Secure Custody Facilities is increased by \$174,820 general fund each year of the 2017 biennium. It is the intent of the legislature that once the budget director verifies the certification, the department of corrections may pay no more than \$72.50 per day to hold an inmate in any county jail."

84. Page D-7, following line 25.

**Insert:** "Probation and Parole Division includes funding for payment of contracted treatment and prerelease beds. It is the intent of the legislature that, within existing funding and at the contracted rate, the department of corrections may pay for beds filled at up to 110% of the contracted bed levels for treatment and prerelease beds."

85. Page D-8, line 1.

**Strike:** line 1 in its entirety

86. Page E-1, line 24.

**Strike:** "636,209,794 647,326,388" [General Fund FY 16 & FY17]

**Insert:** "636,438,555 651,840,376" [General Fund FY 16 & FY17]

87. Page E-2, line 26.

**Following:** line 26

**Insert:** "The Office of Public Instruction K-12 BASE Aid appropriation is reduced by \$1,060,351 in FY 2016 and \$1,205,462 in FY 2017 if SB 157 is passed and approved."

88. Page E-3.

**Following:** line 18

**Insert:** "c. Employee Pay and State Share"

**Insert:** "3,729,621 8,699,326" [General Fund FY16 & FY17]

**Insert:** "566 3,816" [State Special Fund FY16 & FY17]

**Insert:** "36,451 253,292" [Federal Special Fund FY16 & FY17]

89. Page E-4.

**Following:** line 14

**Insert:** "b. Classroom and Technology Collaboration (OTO) \$1,600,000"[General Fund FY 16]

90. Page E-4, line 15.

**Following:** "Research"

**Insert:** "and Development"

91. Page E-4.

**Strike:** line 22 through line 27 in their entirety

**Renumber:** subsequent subsections

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

92. Page E-5, line 7.

**Strike:** line 7 in its entirety

**Insert:** "14,897,522    14,883,995" [General Fund FY16 & FY17]

93. Page E-5, line 10.

**Strike:** line 10 in its entirety

**Insert:** "5,977,225    5,976,600" [General Fund FY 16 & FY17]

94. Page E-5, line 12.

**Strike:** line 12 in its entirety

**Insert:** "1,274,520    1,274,931" [General Fund FY16 & FY 17]

95. Page E-5, line 15.

**Strike:** "(OTO)"

96. Page E-5, line 16.

**Strike:** line 16 in its entirety

**Insert:** "180,000    180,000" [General Fund FY16 & FY17]

97. Page E-6.

**Following:** line 8

**Insert:** "It is the intent of the legislature that the advisory panel should be composed of one member of the Montana house of representatives, one member of the Montana senate, one agriculture/agribusiness representative, one natural resources industry representative, one health-biomedical industry representative, one Montana state university representative, one university of Montana representative, and the commissioner of higher education."

98. Page E-7.

**Following:** line 8

**Insert:** "If SB 416 is passed and approved, Agricultural Experiment Station is reduced by \$300,000 in general fund money in FY 2016 and by \$300,000 in general fund money in FY 2017; Extension Service is reduced by \$125,000 in general fund money in FY 2016 and by \$125,000 in general fund money in FY 2017; and the Forestry and Conservation Experiment Station is reduced by \$75,000 in general fund money in FY 2016 and by \$75,000 in general fund money in FY 2017. The commissioner of higher education may allocate the reduction among these three appropriations when establishing the 2017 biennium operating plan."

99. Page E-7.

**Following:** line 8

**Insert:** "Classroom and Technology Collaboration is contingent on passage and approval of SB 416."

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

100. Page E-7.

**Following:** line 10

**Insert:** "Employee Pay and State Share may be allocated and transferred among agency programs when establishing 2017 biennium operating plans."

101. Page R-2, line 8

**Strike:** "\$9.78                      \$9.80"

**Insert:** "\$9.780        \$9.802"

102. Page R-2, line 9

**Strike:** "\$4.63    \$4.64"

**Insert:** "\$4.625    \$4.637"

103. Page R-2, line 10

**Strike:** "\$0.62    \$0.62"

**Insert:** "\$0.615    \$0.615"

104. Page R-2, line 14.

**Strike:** "\$4,272,329"

**Insert:** "\$3,259,623"

**Strike:** "HB 5"

**Insert:** "HB 403"

105. Page R-2, line 19.

**Strike:** "\$0.0930    \$0.0930"

**Insert:** "\$0.0870    \$0.0870"

106. Page R-2, line 20.

**Strike:** "\$0.0420    \$0.0420"

**Insert:** "\$0.0400    \$0.0400"

107. Page R-2, line 21.

**Strike:** "\$0.0230    \$0.0230"

**Insert:** "\$0.0220    \$0.0220"

108. Page R-2, line 22.

**Strike:** "\$0.0090    \$0.0090"

**Insert:** "\$0.0080    \$0.0080"

109. Page R-3, line 4

**Strike:** "\$0.0002    \$0.0002"

**Insert:** "\$0.00024    \$0.00024"

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

110. Page R-4.

**Following:** line 21

**Insert:** "Inventory Markup                      15% 15%"

111. FTE reduction.

Reduce 6.0 FTE each year of the biennium from the State Auditor's Office.

For the Senate:

L. Jones, Chair

Keane

Keenan

For the House:

Ballance, Vice Chair

Noonan

Osmundson

**FREE CONFERENCE COMMITTEE  
on Senate Bill 418**

Report No. 001, April 23, 2015

Madam President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 418** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 418** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 5.

**Following:** "ACT;"

**Insert:** "REVISING LAWS GOVERNING STATE EMPLOYEE COMPENSATION; PROVIDING LEGISLATIVE POLICY ON MENTAL HEALTH INVESTMENTS AS SET FORTH IN THE GENERAL APPROPRIATIONS ACT; PROVIDING FOR LEGISLATIVE INTENT REGARDING THE IMPLEMENTATION OF SENATE BILL NO. 405; AMENDING SECTIONS 2-18-301, 2-18-303, 2-18-703, 2-18-812, AND 87-1-625 MCA;"

2. Page 1, line 10.

**Strike:** "Transfer."

**Insert:** "Transfers. (1)"

3. Page 1, line 13.

**Following:** line 12

**Insert:** "(2) By June 30, 2015, there is transferred up to \$2.25 million from the county oil and gas impact account within the state special revenue fund to the state general fund."

**Insert:**        "NEW SECTION. Section 2. Legislative policy statement for mental health investments for 2017 biennium. (1) Pursuant to 53-21-101, in its treatment of the seriously mentally ill, it is the policy of the state of Montana to:

          (a) provide each person who is suffering from a mental disorder and who requires commitment the care and treatment suited to the needs of the person and to ensure that the care and treatment are skillfully and humanely administered with full respect for the person's dignity and



HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

personal integrity;

(b) accomplish this goal whenever possible in a community-based setting;

(c) accomplish this goal in an institutionalized setting only when less restrictive alternatives are unavailable or inadequate and only when a person is suffering from a mental disorder and requires commitment; and

(d) ensure that due process of law is accorded any person coming under the provisions of this part.

(2) In order to achieve this policy, the legislature directs the department of public health and human services to meet the following objectives:

(a) to support a community-based system of care that is demonstrated through increased utilization of community-based crisis intervention services to reduce short-term admissions to the Montana state hospital;

(b) to provide and reimburse for effective prevention and treatment that enables sustainable recovery in communities, evidenced through quality assurance activities and analyses. The addictive and mental disorders division shall evaluate the delivery of recovery-focused services by providers.

(c) to improve outcomes for individuals with serious mental illness and co-occurring substance use disorders, demonstrated through data collection on individual client outcomes for recovery markers and performance measures; and

(d) to improve collaboration between community mental health providers, nursing homes, and state facilities, demonstrated through an increase in state facility discharge rates with a corresponding decrease in client recidivism to state facilities.

(3) The children, families, health, and human services interim committee shall monitor and evaluate the department's implementation of the objectives identified in this section and provide to the 65th legislature a report that outlines the status of implementation and identifies areas where continued improvement is necessary."

**Insert:**        "NEW SECTION.    **Section 3. Legislative intent.** (1) It is the intent of the legislature that the office of budget and program planning use the statewide accounting, budgeting, and human resource system to capture savings in House Bill No. 2 generated due to the implementation of Senate Bill No. 405.

(2) After medicaid expansion as authorized in Senate Bill No. 405 is implemented, the office of budget and program planning shall calculate the general fund, state special revenue, and federal special revenue savings for each fiscal year attributable to the health insurance flexibility and accountability waiver, the federal medical assistance percentage for the medically needy, new rates for facility outside medical costs, and all net reductions in House Bill No. 2 for fiscal year 2016 and/or fiscal year 2017, transfer the savings to a separate subclass, and designate the subclass as frozen so that the generated savings may not be spent.

(3) For fiscal year 2016, the amount frozen will be determined by a pro rata share of months left in the fiscal year upon implementation. For fiscal year 2016, if savings are less than the remaining share of \$11,763,918 general fund, the budget director is authorized to unfreeze appropriations necessary to prevent a supplemental request.

(4) It is the intent of the legislature that the savings revert to the fund from which they were appropriated and are subject to appropriation by future legislatures as applicable.

(5) The legislative finance committee shall review the assumptions used in the office of

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

budget and program planning's calculations for reductions and the specific cost offsets identified by the office."

**Insert:**        "NEW SECTION. Section 4. Conditions for state employee group benefit plans. As a condition for the expenditure of the funding for the biennium beginning July 1, 2015, for the state employee group benefit plans, the department of administration shall consider cost containment measures. Options for cost containment measures include but are not limited to:

- (1) reviewing and consulting with appropriate experts on the following:
  - (a) improving primary care case management and coordinated care to improve medical outcomes and reduce costs;
  - (b) sharing data with providers to identify and reduce inappropriate use or overuse of services;
  - (c) implementing pilot programs to improve health outcomes, such as programs for addressing pain management, emergency department use, and drug or alcohol addiction or abuse;
  - (d) increasing the cost-efficiency of the state health clinics, including recommendations for services and controls on or review of referrals;
  - (e) implementing a network-based or reference-based pricing arrangement, or both, with health care facilities, health care providers, and medical transport providers, considering a multiple of medicare rates to establish a contract of network providers or as a reference-based pricing model for the arrangement; and
  - (f) amending contracts, to the extent possible, for the state health clinics to require copayments equal to the copayments required by the state employee group benefit plans for similar services; and
- (2) requiring a contractor or third-party administrator to provide data analytics, professional expertise, and recommendations for improvement of the state employee group benefit plans to the department, the state employee group benefits advisory council, and the legislative finance committee."

**Insert:**        **Section 5.** Section 2-18-301, MCA, is amended to read:

**"2-18-301. Intent of part -- rules.** (1) It is the intent of the legislature that compensation plans for state employees, excluding those employees excepted under 2-18-103 or 2-18-104, be based, ~~in part, on an analysis and comparison of the municipal and state government labor markets in North Dakota, South Dakota, Idaho, and Wyoming~~ of the labor markets as provided by the department from the national compensation association of state governments salary survey and other information relative to the state government salaries and compensation in those states. For the biennium beginning July 1, 2013, the department shall determine this information before pay raises are implemented. For legislative sessions following the biennium beginning July 1, 2013, the department shall submit to the office of budget and program planning as a part of the information required by 17-7-111 in a biennial salary survey. The salary survey must be submitted to the office of budget and program planning as a part of the information required by 17-7-111.:

- ~~— (a) an analysis of how Montana government employee salaries and other compensation compare to the municipal and state government salaries in North Dakota, South Dakota, Idaho, and Wyoming; and~~
- ~~— (b) an analysis of the labor market as determined by the department in a biennial salary survey.~~

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

(2) Pay adjustments, if any, provided for in 2-18-303 supersede any other plan or systems established through collective bargaining after the adjournment of the legislature.

(3) Total funds required to implement the pay increases, if any, provided for in 2-18-303 for any employee group or bargaining unit may not be increased through collective bargaining over the amount appropriated by the legislature.

(4) The department shall administer the pay program established by the legislature on the basis of competency, internal equity, and competitiveness to ~~the municipal and state government labor markets in North Dakota, South Dakota, Idaho, and Wyoming. The intent is to bring all pay bands to the same relationship percentage of the market rate midpoint salary comparison the external labor market~~ when fiscally able.

(5) The broadband pay plan must consist of nine pay bands. Each pay band must contain a salary range with a minimum salary and a maximum salary.

(6) Based on the biennial salary survey, the department shall:

(a) identify current market rates for all occupations;

(b) establish salary ranges for each pay band; and

(c) ~~recommend competitive pay zones with the municipal and state government labor markets in North Dakota, South Dakota, Idaho, and Wyoming using the national compensation association of state governments salary survey and other relevant information for those states.~~

(7) The department may promulgate rules not inconsistent with the provisions of this part, collective bargaining statutes, or negotiated contracts to carry out the purposes of this part.

(8) Nothing in this part prohibits the board of regents from engaging in negotiations with the collective bargaining units representing the classified staff of the university system."

{Internal References to 2-18-301:

2-6-110 }"

**Insert:**       **Section 6.** Section 2-18-303, MCA, is amended to read:

**"2-18-303. Procedures for administering broadband pay plan.** (1) On the first day of the first complete pay period in fiscal year ~~2014~~ 2016, each employee is entitled to the amount of the employee's base salary as it was on June 30, ~~2013~~ 2015.

(2) An employee's base salary may be no less than the minimum salary of the pay band to which the employee's position is allocated.

~~(3) Funds appropriated under section 4, Chapter 385, Laws of 2013, must be used to increase the base pay for each employee. The base pay of employees must be increased as determined by the executive branch, including those subject to the provisions of Title 39, chapter 31, with particular attention to the lower pay bands and those who did not receive a base pay increase during the biennium beginning July 1, 2011. Effective on the first day of the first complete pay period that includes January 15, 2016, the base salary of each employee must be increased by 50 cents an hour. Effective on the first day of the first complete pay period that includes January 15, 2017, the base salary of each employee must be increased by 50 cents an hour.~~

(4) (a) (i) A member of a bargaining unit may not receive the pay adjustment provided for in subsection (3) until the employer's collective bargaining representative receives written notice that the employee's collective bargaining unit has ratified a collective bargaining agreement.

(ii) If ratification of a collective bargaining agreement, as required by subsection (4)(a)(i), is not completed by the date on which a legislatively authorized pay increase is implemented, members of the bargaining unit must continue to receive the compensation that they were receiving until an agreement is ratified.

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

(b) Methods of administration consistent with the purpose of this part and necessary to properly implement the pay adjustments provided for in this section may be provided for in collective bargaining agreements.

(5) (a) Montana highway patrol officer base salaries must be established through the broadband pay plan. Before January 1 of each odd-numbered year, the department shall, after seeking the advice of the Montana highway patrol, conduct a salary survey to be used in establishing the base salary for existing and entry-level highway patrol officer positions. The county sheriff's offices in the following consolidated governments and counties are the labor market for purposes of the survey: Butte-Silver Bow, Cascade, Yellowstone, Missoula, Lewis and Clark, Gallatin, Flathead, and Dawson. The base salary for existing and entry-level highway patrol officer positions must then be determined by the department of justice, using the results of the salary survey and the department of justice pay plan guidelines. Base or biennial salary increases under this subsection are exclusive of and not in addition to any increases otherwise awarded to other state employees after July 1, 2006.

(b) To the extent that the plan applies to employees within a collective bargaining unit, the implementation of the plan is a negotiable subject under 39-31-305.

(c) The department of justice shall submit the salary survey to the office of budget and program planning as a part of the information required by 17-7-111.

(d) The salary survey and plan must be completed at least 6 months before the start of each regular legislative session."

{Internal References to 2-18-303:

2-18-301      2-18-301      2-18-304      13-37-106  
15-2-102      44-1-504 }"

**Insert:**      **Section 7.** Section 2-18-703, MCA, is amended to read:

**"2-18-703. Contributions.** (1) Each agency, as defined in 2-18-601, and the state compensation insurance fund shall contribute the amount specified in this section toward the group benefits cost.

(2) (a) For employees defined in 2-18-701 and for members of the legislature, the employer contribution for group benefits is ~~\$733~~ \$887 a month from January ~~2014~~ 2015 through December ~~2013~~ 2015, ~~\$806~~ \$976 a month from January ~~2014~~ 2016 through December ~~2014~~ 2016, and ~~\$887~~ \$1,054 a month ~~for from~~ January ~~2015~~ 2017 ~~and for each succeeding month through December 2017.~~

(b) For employees defined in 2-18-701 and for members of the legislature, beginning January 2018 and for each succeeding month, the cost of group benefits, including both the employer and employee contributions for group benefits and health flexible spending accounts, may not exceed the monthly amount for self-only coverage and coverage other than self-only that will trigger the excise tax under 26 U.S.C. 4980I, including any cost-of-living adjustments under 26 U.S.C. 4980I. This section limits contributions for group benefits only to the extent needed to avoid triggering the excise tax under 26 U.S.C. 4980I.

(c) For employees of the Montana university system, the employer contribution for group benefits is ~~\$806~~ \$887 a month from July ~~2013~~ 2014 through June ~~2014~~ 2016 and ~~\$887~~ \$1,054 a month from July ~~2014~~ 2016 ~~and for each succeeding month through the earlier of:~~

(i) June 2018; or

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

(ii) the month before the first month in which the excise tax under 26 U.S.C. 4980I applies.

(d) For employees of the Montana university system, beginning the earlier of July 2018 or the first month in 2018 in which the excise tax under 26 U.S.C. 4980I applies, and for each succeeding month, the cost of group benefits, including both the employer and employee contributions for group benefits and health flexible spending accounts, may not exceed the monthly amount for self-only coverage and coverage other than self-only that will trigger the excise tax under 26 U.S.C. 4980I, including any cost-of-living adjustments under 26 U.S.C. 4980I. This section limits contributions for group benefits only to the extent needed to avoid triggering the excise tax under 26 U.S.C. 4980I.

(e) If a state employee is terminated to achieve a reduction in force, the continuation of contributions for group benefits beyond the termination date is subject to negotiation under 39-31-305 and to the protections of 2-18-1205. Permanent part-time, seasonal part-time, and temporary part-time employees who are regularly scheduled to work less than 20 hours a week are not eligible for the group benefit contribution. An employee who elects not to be covered by a state-sponsored group benefit plan may not receive the state contribution. A portion of the employer contribution for group benefits may be applied to an employee's costs for participation in Part B of medicare under Title XVIII of the Social Security Act, as amended, if the state group benefit plan is the secondary payer and medicare the primary payer.

(3) For employees of elementary and high school districts, the employer's contributions may exceed but may not be less than \$10 a month.

(4) (a) For employees of political subdivisions, as defined in 2-9-101, except school districts, the employer's contributions may exceed but may not be less than \$10 a month.

(b) Subject to the public hearing requirement provided in 2-9-212(2)(b), the amount in excess of the base contribution of a local government's property tax levy for contributions for group benefits as determined in subsection (4)(c) is not subject to the mill levy calculation limitation provided for in 15-10-420.

(c) (i) Subject to subsections (4)(c)(ii) and (4)(c)(iii), the base contribution is determined by multiplying the average annual contribution for each employee on July 1, 1999, times the number of employees for whom the employer makes contributions for group benefits under 2-9-212 on July 1 of each fiscal year.

(ii) If a political subdivision did not make contributions for group benefits on or before July 1, 1999, and subsequently does so, the base contribution is determined by multiplying the average annual contribution for each employee in the first year the political subdivision provides contributions for group benefits times the number of employees for whom the employer makes contributions for group benefits under 2-9-212 on July 1 of each fiscal year.

(iii) If a political subdivision has made contributions for group benefits but has not previously levied for contributions in excess of the base contribution, the political subdivision's base is determined by multiplying the average annual contribution for each employee at the beginning of the fiscal year immediately preceding the year in which the levy will first be levied times the number of employees for whom the employer made contributions for group benefits under 2-9-212 in that fiscal year.

(5) Unused employer contributions for any state employee must be transferred to an account established for this purpose by the department of administration and upon transfer may be used to offset losses occurring to the group of which the employee is eligible to be a member.

(6) Unused employer contributions for any government employee may be transferred to an account established for this purpose by a self-insured government and upon transfer may be

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

used to offset losses occurring to the group of which the employee is eligible to be a member or to increase the reserves of the group.

(7) The laws prohibiting discrimination on the basis of marital status in Title 49 do not prohibit bona fide group insurance plans from providing greater or additional contributions for insurance benefits to employees with dependents than to employees without dependents or with fewer dependents."

{Internal References to 2-18-703:

2-9-212 x    2-9-212 x    2-9-212x    2-18-101x  
2-18-101 x    2-18-107 x    2-18-812 x    5-2-303x  
5-2-303 x    7-4-2502 x    15-10-420 x    19-3-108 \*  
20-15-225 x\*    20-15-403 x}"

**Insert:**            **Section 8.** Section 2-18-812, MCA, is amended to read:

**"2-18-812. Alternatives to conventional insurance for providing state employee group benefits authorized -- requirements.** The department may establish alternatives to conventional insurance for providing state employee group benefits. The requirements for providing alternatives to conventional insurance are as follows:

(1) The department shall maintain state employee group benefit plans on an actuarially sound basis.

(2) The department shall maintain reserves sufficient to liquidate the unrevealed claims liability and other liabilities of state employee group benefit plans.

(3) The department shall deposit all reserve funds and premiums paid to a state employee group benefit plan account within the state self-insurance reserve fund, and the deposits must be expended for claims under the plan.

(4) The department shall deposit income earned from the investment of a state employee group benefit plan's reserve fund into the account established under subsection (3) in order to offset the costs of administering the plan. ~~Expenditures for actual and necessary expenses required for the efficient administration of the plan must be made from temporary appropriations, as described in 17-7-501(1) or (2), made for that purpose.~~

(5) The department shall deposit into the account provided for in subsection (3) all portions of a state employee's salary designated by the employee to be withheld for the purposes of flexible spending account benefits as well as any employee-designated portion of the employer contribution for group benefits provided for in 2-18-703 that is not required to be used for mandatory or elected benefits. Income earned on the deposits must be retained within the account and used for the purposes provided in this subsection. The money deposited and income earned on the deposits must be used for:

(a) payment of claims made by the employee;  
(b) payment of reasonable costs of administration of the flexible spending account program;

(c) offsetting losses of the flexible spending account program; and  
(d) reducing administration fees collected from participants in the program.

(6) The department shall, prior to implementation of any alternative to conventional insurance, present to the advisory council the evidence upon which the department has concluded that the alternative method will be more efficient, less costly, or otherwise superior to contracting for conventional insurance.

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

(7) Except as otherwise provided in Title 33, chapter 18, part 9, the provisions of Title 33 do not apply to the department when exercising the powers and duties provided for in this section." {Internal References to 2-18-812: None.}"

**Insert:**        **Section 9.** Section 87-1-625, MCA, is amended to read:

**"87-1-625. Funding for wolf management.** (1) The department shall allocate ~~\$900,000~~ \$500,000 annually for wolf management.

(2) For the purposes of this section, the term "management" has the same meaning provided in 87-5-102 and includes:

(a) wolf collaring conducted pursuant to 87-5-132; and

(b) lethal action conducted pursuant to 87-1-217 to take problem wolves that attack livestock.

(3) Not more than 25% of the total funding allocated under this section may be used for administrative costs.

(4) Pursuant to 87-1-201, the department may allocate funds from any source to meet the requirements of this section.

(5) The department may contract with the United States department of agriculture wildlife services and county governments for the purposes of this section." {Internal References to 87-1-625: None.}"

**Insert:**        COORDINATION SECTION. **Section 10. Coordination instruction.** If both Senate Bill No. 20 and [this act] are passed and approved, then [section 4 of Senate Bill No. 20] must be amended as follows:

**"NEW SECTION. Effective date.** [This act] is effective July 1, ~~2015~~ 2016."

**Insert:**        COORDINATION SECTION. **Section 11. Coordination instruction -- funding from state special revenue account instead**

**of general fund.** If House Bill No. 2, Senate Bill No. 405, and [this act] are passed and approved, and if House Bill No. 2 appropriates an amount equal to or greater than \$1,761,476 from the employment security account provided for in 39-51-409 to the department of labor and industry for the biennium beginning July 1, 2015, for the restricted purposes of [sections 14 through 17 of Senate Bill No. 405], then:

(1) [section 22(1)(a) of Senate Bill No. 405] is void; and

(2) the appropriation in House Bill No. 2 from the employment security account provided for in 39-51-409 to the department of labor and industry for the purposes of [sections 14 through 17 of Senate Bill No. 405] must be considered base funding for the preparation of the budget for the biennium beginning July 1, 2017."

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

**Renumber:** subsequent sections

For the Senate:  
L. Jones, Chair  
F. Moore  
Sesso

For the House:  
Ballance, Vice Chair  
Noonan  
Osmundson

**MESSAGES FROM THE SENATE**

**Governor's amendments to House bills** concurred in and returned to the House: 4/22/2015

**HB 204**, introduced by Hertz

**HB 270**, introduced by Richmond

**Governor's amendments to House bill** concurred in and returned to the House: 4/23/2015

**HB 306**, introduced by Eck

**House bills** concurred in and returned to the House: 4/22/2015

**HB 510**, introduced by Redfield

**HB 590**, introduced by Cuffe

**HB 628**, introduced by Brodehl

**House joint resolution** concurred in and returned to the House: 4/22/2015

**HJR 13**, introduced by White

**House amendments to Senate bills** concurred in: 4/22/2015

**SB 157**, introduced by Tutvedt

**SB 193**, introduced by Tutvedt

**SB 259**, introduced by Tutvedt

**SB 312**, introduced by Phillips

**SB 375**, introduced by Sales

**SB 387**, introduced by C. Smith

**House amendments to Senate bills** concurred in: 4/23/2015

**SB 252**, introduced by L. Jones

**SB 272**, introduced by Windy Boy

**SB 396**, introduced by Buttrey

**SB 411**, introduced by Caferro



HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

**Senate joint resolutions** passed and transmitted to the House for concurrence: 4/22/2015

**SJR 25**, introduced by C. Smith

**SJR 26**, introduced by Tutvedt

**SJR 27**, introduced by Kary

**SJR 28**, introduced by Windy Boy

**SJR 29**, introduced by Hansen

**SJR 30**, introduced by Taylor

**SJR 31**, introduced by Cohenour

Conference Committee Report No.1 adopted: 4/23/2015

**HB 28**, introduced by Eck

**HB 10** - The Senate acceded to the request of the House and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on Senate amendments to **HB 10**:

4/23/2015

Senator Ripley, Chair

Senator Blasdel

Senator Caferro

**MESSAGES FROM THE GOVERNOR**

April 23, 2015

The Honorable Austin Knudsen

Speaker of the House

State Capitol

Helena, Montana 59620

Dear Speaker Knudsen:

Today, I have returned **House Bill 237** sponsored by Representative Olszewski to the House with amendments.

Sincerely,

STEVE BULLOCK

Governor

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

April 23, 2015

The Honorable Austin Knudsen  
Speaker of the House  
State Capitol  
Helena, Montana 59620

Dear Speaker Knudsen:

Please be informed that I have signed **House Bill 250** sponsored by Representative Wagoner, **House Bill 330** sponsored by Representative Schwaderer, **House Bill 334** sponsored by Representative Cook, **House Bill 343** sponsored by Representative B. Bennett, **House Bill 350** sponsored by Representative Shaw, **House Bill 447** sponsored by Representative Wagoner, and **House Bill 503** sponsored by Representative Berry on April 23, 2015.

These bills were delivered to the Secretary of State's Office today.

I have also delivered **House Bill 422** sponsored by Representative Ehli to the Secretary of State's Office since the sponsor concurred with my line item veto.

I have vetoed **House Bill 450** sponsored by Representative Wagoner.

Sincerely,

STEVE BULLOCK  
Governor

**FIRST READING AND COMMITMENT OF BILLS**

The following Senate joint resolutions were introduced, read first time, and referred to committees:

**SJR 25**, introduced by C. Smith, referred to Human Services.

**SJR 26**, introduced by B. Tutvedt, referred to Taxation.

**SJR 27**, introduced by D. Kary, D. Brown, referred to Transportation.

**SJR 28**, introduced by J. Windy Boy, D. Ankney, Dick Barrett, B. Bennett, T. Brown, E. Buttrey, M. Caferro, P. Connell, V. Court, W. Curdy, A. Doane, K. Dudik, J. Eck, M. Funk, B. Hamlett, K. Hansen, D. Hayman, C. Hunter, J. Karjala, C. Kaufmann, J. Keane, B. Keenan, K. Kelker, G. Kipp, D. Lamm, C. Larsen, M. MacDonald, S. Malek, E. McClafferty, N. McConnell, M. McNally, R. Mehlhoff, D. Moore, P. Noonan, A. Olsen, R. Osmundson, C. Pease-Lopez, R. Peppers, Z. Perry, J. Pomnichowski, D. Sands, N. Schwaderer, J. Sesso, B. Smith, S. Stewart-Peregoy, K. Swanson, F. Thomas, M. Tropila, B. Tutvedt, C. Vincent, G. Vuckovich, S. Webber, L. Whitford, K. Williams, N. Wilson, C. Wolken, referred to Education.

**SJR 29**, introduced by K. Hansen, M. Blasdel, B. Hamlett, D. Howard, J. Keane, F. Moore, M. Phillips, M. Rosendale, C. Smith, J. Taylor, R. Webb, C. Wolken, referred to State Administration.

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

**SJR 30**, introduced by J. Taylor, J. Pomnichowski, referred to State Administration.

**SJR 31**, introduced by J. Cohenour, referred to Taxation.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Lamm in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 512 - Conference Committee Report No. 1** - Representative Mortensen moved the Conference Committee report to **HB 512** be adopted. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Burnett, Noonan, Tschida.

Total 3

Excused: None.

Total 0

Absent or not voting: Schwaderer, Welborn.

Total 2

**SB 171 - Free Conference Committee Report No. 1** - Representative Redfield moved the Free Conference Committee report to **SB 171** be adopted. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Monforton, Moore, Mortensen, Noland, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson,

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

Tschida, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.

Total 56

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods.

Total 44

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 410 - Free Conference Committee Report No. 1** - Representative Laszloffy moved the Free Conference Committee report to **SB 410** be adopted. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Harris, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 42

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 353 - Free Conference Committee Report No. 1** - Representative G. Bennett moved the Free Conference Committee report to **SB 353** be adopted. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin,

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

Mandeville, Manzella, McCarthy, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Mr. Speaker.

Total 58

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Zolnikov.

Total 41

Excused: None.

Total 0

Absent or not voting: Schwaderer.

Total 1

**HB 10 - Senate Amendments** - Representative McCarthy moved Senate amendments to **HB 10** be **not** concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Lamm moved the Committee of the Whole report be adopted. Report adopted as follows:

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: B. Bennett, Essmann, Olsen.

Total 3

Excused: Kipp III.

Total 1

Absent or not voting: None.

Total 0

House Recessed

House Reconvened

Minority Leader Hunter announced that the Democrats would caucus.

Majority Leader Regier announced that the Republicans would stand at ease.

House Recessed

House Reconvened

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Lamm in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**SB 138 - Conference Committee Report No. 1** - Representative Mehlhoff moved the Conference Committee report to **SB 138** be adopted. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lang, Laszloffy, Lavin, Mandeville, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Peppers, Person, Randall, Redfield, Regier, Ricci, Richmond,

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Tropila, Tschida, Wagoner, Welborn, White, Williams, Mr. Speaker.

Total 62

Nays: B. Bennett, Clark, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Hayman, Hill, Hunter, Karjala, Kelker, Kipp III, Lamm, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, Miller, Noonan, Olsen, Pease-Lopez, Perry, Pierson, Pinocci, Pope, Price, Steenberg, Swanson, Webber, Wilson, Wittich, Woods, Zolnikov.

Total 38

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 237 - Governor's Amendments** - Representative Olszewski moved Governor's amendments to **HB 237** be **not** concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berry, Brodehl, B. Brown, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Kipp III, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, Berglee, Z. Brown, Burnett, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 42

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

**SB 336 - Governor's Amendments** - Representative Ricci moved Governor's amendments to **SB 336** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 90

Nays: Brodehl, B. Brown, Doane, Harris, Lamm, Manzella, Redfield, Regier, Wagoner, White.  
Total 10

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 416** - Representative Osmundson moved **SB 416** be concurred in.

**SB 416** - Representative Osmundson moved **SB 416**, second reading copy, be amended as follows:

1. Page 1, line 28 through page 2, line 2.

**Strike:** subsection (4) in its entirety

**Renumber:** subsequent subsections

2. Page 4, line 8 through line 21.

**Strike:** section 5 in its entirety

**Insert:** "NEW SECTION. **Section 5. Formula for local government match rate based on relative participation ratio.** (1) The match rate for a local government is calculated based on its relative participation ratio.

(2) The relative participation ratio for a local government that is not a county is the number of its city-reported mills divided by the median of the city-reported mills of all cities as reported in the most recent biennial report of the department of revenue.

(3) The relative participation ratio for a county is the sum of its county mills divided by the median of county mills of all counties as reported in the department of revenue's most recent biennial report. The sum of county mills includes all mills other than the city mills as reported in the most recent biennial report of the department of revenue, including state, county, countywide school, and local school average mills, fire district



HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

average mills, and miscellaneous mills.

- (4) The match rate for a local government is calculated by:
  - (a) subtracting the local government's relative participation ratio from 1;
  - (b) dividing the difference by 2; and
  - (c) multiplying the quotient by 100."

3. Page 7, line 4.

**Strike:** "2015"

**Insert:** "2016"

4. Page 7, line 10.

**Following:** "of"

**Insert:** "and appropriations for"

5. Page 7, line 11.

**Following:** "approved"

**Insert:** "and funds are appropriated to the department of administration "

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Olszewski.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

**SB 416** - Representative McCarthy moved **SB 416**, second reading copy, be amended as follows:

1. Page 7, line 14

**Following:** line 13.

**Insert:** "DEPARTMENT OF MILITARY AFFAIRS

Disaster and Emergency Services, Laurel Water Intake Project \$2.7 million (CPA)"

Amendment **not** adopted as follows:

Yeas: B. Bennett, Berglee, Z. Brown, Custer, Dudik, Dunwell, Essmann, Fiscus, Funk, Hagstrom, Hill, Holmlund, Jones, Karjala, Lynch, Mandeville, McCarthy, McConnell, McKamey, Meyers, Moore, Mortensen, Pease-Lopez, Perry, Pope, Ricci, Richmond, Salomon, Smith, Staffanson, Williams, Wittich, Woods, Zolnikov.

Total 34

Nays: Ballance, J. Bennett, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Doane, Eck, Ehli, Ellis, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hollandsworth, Hunter, Jacobson, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, MacDonald, Manzella, McClafferty, Mehlhoff, Miller, Monforton, Noland, Noonan, Olsen, Olszewski, Osmundson, Peppers, Person, Pierson, Pinocci, Price, Randall, Redfield, Regier, Schreiner, Schwaderer, Shaw, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Wilson, Mr. Speaker.

Total 66

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 416** - Representative Osmundson moved **SB 416**, second reading copy, be amended as follows:

1. Page 2, line 14.

**Following:** "use"

**Insert:** " -- appropriations"

2. Page 2, line 22.

**Following:** line 21

**Insert:** "(3) Funds in the accounts established in subsections (1) and (2) are appropriated to the department of commerce for the purposes described in subsections (1) and (2)."

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

3. Page 3, line 18.

**Following:** line 17

**Insert:** "(7) For a local government that is not a county, the county in which the local government is located must also contribute its match rate as determined in [section 5]."

4. Page 8, line 9.

**Following:** line 8

**Insert:** "(4) All funds for the projects in the indicated amounts in this section are appropriated to the department of administration."

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 87

Nays: B. Brown, Glimm, Harris, Hertz, Monforton, Olszewski, Peppers, Redfield, Schwaderer, Smith, White, Wittich, Zolnikov.

Total 13

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 416** - Representative Miller moved for cloture.

The Chair ruled the motion Out of Order.

**SB 416** - Representative Schwaderer moved for cloture. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski,

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Cuffe, Fitzpatrick, Staffanson.

Total 3

Excused: Kipp III.

Total 1

Absent or not voting: Olsen.

Total 1

**SB 416** - Representative Osmundson moved **SB 416**, as amended, be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Garner, Greef, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Mortensen, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 70

Nays: J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Ehli, Fiscus, Flynn, Glimm, Hagstrom, Harris, Hertz, Jones, Lamm, Lang, Laszloffy, Manzella, Miller, Monforton, Noland, Olszewski, Randall, Redfield, Regier, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 30

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Lamm moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter,

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

Jacobson, Jones, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 83

Nays: J. Bennett, Burnett, Flynn, Glimm, Hertz, Hess, Karjala, Miller, Mortensen, Olszewski, Redfield, Regier, Schwaderer, Wagoner, White, Wittich.

Total 16

Excused: Kipp III.

Total 1

Absent or not voting: None.

Total 0

House in Recess

House Reconvened

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Lamm in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 33 - Free Conference Committee Report No. 1** - Representative Ehli moved the Free Conference Committee report to **HB 33** be adopted. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 86

Nays: B. Brown, Burnett, Court, Essmann, Jones, Karjala, Kelker, MacDonald, McClafferty, Monforton, Pinocci, Wittich, Zolnikov.

Total 13

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

Excused: Pierson.

Total 1

Absent or not voting: None.

Total 0

**HB 6 - Free Conference Committee Report No. 1** - Representative Cuffe moved the Free Conference Committee report to **HB 6** be adopted. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 93

Nays: Burnett, Essmann, McCarthy, Monforton, Wittich, Zolnikov.

Total 6

Excused: Pierson.

Total 1

Absent or not voting: None.

Total 0

**SB 260 - Free Conference Committee Report No. 1** - Representative Laszloffy moved the Free Conference Committee report to **SB 260** be adopted. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 93

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

Nays: Kipp III, MacDonald, Monforton, Mortensen, Olszewski, Wittich.

Total 6

Excused: Pierson.

Total 1

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Lamm moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 95

Nays: Essmann, Wittich, Zolnikov.

Total 3

Excused: Kipp III, Pierson.

Total 2

Absent or not voting: None.

Total 0

House Recessed

House Reconvened

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Lamm in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

**HB 10 - Conference Committee Report No. 1** - Representative McCarthy moved the Conference Committee report to **HB 10** be adopted. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Regier, Ricci, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 88

Nays: B. Brown, Manzella, Monforton, Olszewski, Pinocci, Redfield, Richmond, Schwaderer, Tschida, White, Wittich, Zolnikov.

Total 12

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2 - Free Conference Committee Report No. 1** - Representative Ballance moved the Free Conference Committee report to **HB 2** be adopted. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 86

Nays: J. Bennett, B. Brown, Doane, Hertz, Monforton, Mortensen, Pinocci, Randall, Schwaderer, Staffanson, Wagoner, White, Wittich, Zolnikov.

Total 14

Excused: None.

Total 0



HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

Absent or not voting: None.

Total 0

**SB 418 - Free Conference Committee Report No. 1** - Representative Osmundson moved the Free Conference Committee report to **SB 418** be adopted. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 92

Nays: B. Brown, Monforton, Olszewski, Schwaderer, Tschida, White, Wittich, Zolnikov.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Lamm moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 87

Nays: Berglee, Hertz, Schwaderer, Staffanson, Tschida, Wagoner, White, Zolnikov.

Total 8

Excused: Jacobson, Kipp III, McClafferty, Pierson.

Total 4

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

Absent or not voting: Welborn.

Total 1

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 4** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 84

Nays: J. Bennett, B. Brown, Essmann, Fitzpatrick, Glimm, Hertz, Jones, Lamm, Manzella, McKamey, Monforton, Pinocci, Schwaderer, Wittich, Zolnikov.

Total 15

Excused: Kipp III.

Total 1

Absent or not voting: None.

Total 0

**HB 28** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 97

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

Nays: Burnett, White.

Total 2

Excused: Kipp III.

Total 1

Absent or not voting: None.

Total 0

**HB 140** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 75

Nays: J. Bennett, Brodehl, B. Brown, Cuffe, Doane, Glimm, Lamm, Lang, Manzella, McKamey, Monforton, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 23

Excused: Kipp III.

Total 1

Absent or not voting: Harris.

Total 1

**HB 150** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 93

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

Nays: Burnett, Lamm, Pinocci, Randall, Wittich, Zolnikov.

Total 6

Excused: Kipp III.

Total 1

Absent or not voting: None.

Total 0

**HB 156** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Curdy, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 82

Nays: B. Bennett, Court, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Lieser, MacDonald, Olsen, Price, Webber, Williams, Wilson, Woods.

Total 16

Excused: Kipp III.

Total 1

Absent or not voting: Cuffe.

Total 1

**HB 167** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 93

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

Nays: Doane, Flynn, Monforton, Wagoner, Wittich, Zolnikov.

Total 6

Excused: Kipp III.

Total 1

Absent or not voting: None.

Total 0

**HB 223** passed as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 81

Nays: Ballance, B. Brown, Burnett, Fitzpatrick, Flynn, Hertz, Jones, Lamm, Laszloffy, Meyers, Monforton, Moore, Olsen, Schwaderer, Staffanson, Wagoner, White, Zolnikov.

Total 18

Excused: Kipp III.

Total 1

Absent or not voting: None.

Total 0

**HB 228** passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 83

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

Nays: J. Bennett, Brodehl, B. Brown, Burnett, Essmann, Glimm, Jones, Lamm, Manzella, Monforton, Noland, Olszewski, Pinocci, Tropila, Tschida, Wittich.

Total 16

Excused: Kipp III.

Total 1

Absent or not voting: None.

Total 0

**HB 300** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 93

Nays: Cook, Lamm, Mandeville, Wagoner, Wittich, Zolnikov.

Total 6

Excused: Kipp III.

Total 1

Absent or not voting: None.

Total 0

**HB 403** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 92

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

Nays: Essmann, Harris, Lamm, Monforton, Schwaderer, Wagoner, Zolnikov.  
Total 7

Excused: Kipp III.  
Total 1

Absent or not voting: None.  
Total 0

**HB 423** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 57

Nays: B. Bennett, Z. Brown, Burnett, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Jones, Karjala, Kelker, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Noonan, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.  
Total 41

Excused: Kipp III.  
Total 1

Absent or not voting: Olsen.  
Total 1

**HB 463** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 91

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

Nays: Brodehl, B. Brown, Fitzpatrick, Garner, Glimm, Lavin, Noland, Regier.

Total 8

Excused: Kipp III.

Total 1

Absent or not voting: None.

Total 0

**HB 464** passed as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 59

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Doane, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Manzella, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 40

Excused: Kipp III.

Total 1

Absent or not voting: None.

Total 0

**HB 488** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 93



HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

Nays: B. Bennett, B. Brown, Miller, Olsen, Pinocci, Zolnikov.

Total 6

Excused: Kipp III.

Total 1

Absent or not voting: None.

Total 0

**HB 496** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 51

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 48

Excused: Kipp III.

Total 1

Absent or not voting: None.

Total 0

**HB 560** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

Nays: Monforton.

Total 1

Excused: Kipp III.

Total 1

Absent or not voting: None.

Total 0

**HB 599** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Lamm, Lang, Laszloffy, Lavin, Lieser, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Welborn, White, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 90

Nays: Dunwell, Eck, Hayman, Kelker, Lynch, Olsen, Webber, Williams, Wilson.

Total 9

Excused: Kipp III.

Total 1

Absent or not voting: None.

Total 0

**HB 604** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berry, Brodehl, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lang, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 73

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

Nays: Berglee, B. Brown, Z. Brown, Burnett, Clark, Cook, Doane, Glimm, Hagstrom, Hertz, Hess, Lamm, Laszloffy, Lavin, Monforton, Noland, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Tschida, Wagoner, Welborn, Zolnikov.

Total 26

Excused: Kipp III.

Total 1

Absent or not voting: None.

Total 0

**HB 617** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Burnett, Lamm, Manzella, Monforton, Pinocci.

Total 5

Excused: Kipp III.

Total 1

Absent or not voting: None.

Total 0

**HB 627** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White,

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Monforton.

Total 1

Excused: Kipp III.

Total 1

Absent or not voting: None.

Total 0

**HJR 29** adopted as follows:

Yeas: B. Bennett, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Lamm, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Mortensen, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 71

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Doane, Fiscus, Glimm, Greef, Jones, Lang, Laszloffy, Manzella, Miller, Monforton, Noland, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Tschida, Wagoner, Welborn, White, Mr. Speaker.

Total 28

Excused: Kipp III.

Total 1

Absent or not voting: None.

Total 0

**HJR 32 failed** as follows:

Yeas: B. Bennett, Berry, Z. Brown, Court, Cuffe, Curdy, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Garner, Hagstrom, Hayman, Hill, Hunter, Jacobson, Jones, Karjala, Kelker, Lieser, Lynch, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Mortensen, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Schreiner, Schwaderer, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 49

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Clark, Cook, Custer, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Holmlund,

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

Lamm, Lang, Laszloffy, Lavin, MacDonald, Mandeville, Manzella, Meyers, Miller, Monforton, Moore, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Richmond, Salomon, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.  
Total 50

Excused: Kipp III.  
Total 1

Absent or not voting: None.  
Total 0

**SB 211** concurred in as follows:

Yeas: B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Mr. Speaker.  
Total 91

Nays: Ballance, J. Bennett, Brodehl, Burnett, Lamm, Monforton, White, Zolnikov.  
Total 8

Excused: Kipp III.  
Total 1

Absent or not voting: None.  
Total 0

**SB 233** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White,

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: B. Brown.

Total 1

Excused: Kipp III.

Total 1

Absent or not voting: None.

Total 0

**SB 283** concurred in as follows:

Yeas: B. Bennett, Berry, Z. Brown, Cook, Court, Cuffe, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Funk, Garner, Greef, Hagstrom, Hayman, Hess, Hill, Holmlund, Hunter, Jacobson, Karjala, Kelker, Lamm, Lang, Lieser, MacDonald, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noonan, Olsen, Pease-Lopez, Perry, Pierson, Pinocci, Pope, Price, Randall, Richmond, Salomon, Schwaderer, Shaw, Smith, Steenberg, Swanson, Webber, Welborn, Williams, Wilson, Woods.

Total 58

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Clark, Curdy, Doane, Ehli, Fitzpatrick, Flynn, Glimm, Harris, Hertz, Hollandsworth, Jones, Laszloffy, Lavin, Lynch, Mandeville, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Peppers, Person, Redfield, Regier, Ricci, Schreiner, Staffanson, Tropila, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 41

Excused: Kipp III.

Total 1

Absent or not voting: None.

Total 0

**SB 389** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Peppers, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Tschida, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.

Total 63

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Noonan, Olsen, Pease-Lopez, Perry, Person, Pope, Price, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods.

Total 36

Excused: Kipp III.

Total 1

Absent or not voting: None.

Total 0

**SJR 22** concurred in as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Ballance, Doane, Lamm, Wittich.

Total 4

Excused: Kipp III.

Total 1

Absent or not voting: None.

Total 0

**MOTIONS**

Representative Cuffe moved to suspend the rules for reconsideration of **HB 8**.

Motion passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lang, Laszloffy, Lavin,

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.  
Total 92

Nays: Burnett, Lamm, Monforton, White, Wittich, Zolnikov.  
Total 6

Excused: Kipp III.  
Total 1

Absent or not voting: Clark.  
Total 1

Representative Cuffe moved to reconsider action on **HB 8** and that **HB 8** be placed on third reading on this same day, Thursday, April 23, 2015.

Motion **passed** as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 92

Nays: Burnett, Lamm, Monforton, Schwaderer, Tschida, Wittich, Zolnikov.  
Total 7

Excused: Kipp III.  
Total 1

Absent or not voting: None.  
Total 0

Representative Woods moved to reconsider action on **HJR 32** and that **HJR 32** be placed on third reading this same day, Thursday, April 23, 2015.



HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

Motion **passed** as follows:

Yeas: B. Bennett, Brodehl, Z. Brown, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Funk, Garner, Greef, Hagstrom, Hill, Holmlund, Jacobson, Jones, Karjala, Kelker, Lang, Lavin, Lieser, Lynch, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Moore, Mortensen, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Schreiner, Schwaderer, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Williams, Wilson, Woods, Mr. Speaker.

Total 56

Nays: Ballance, J. Bennett, Berglee, Berry, B. Brown, Burnett, Cook, Doane, Fiscus, Fitzpatrick, Flynn, Glimm, Harris, Hayman, Hertz, Hess, Hollandsworth, Hunter, Lamm, Laszloffy, MacDonald, Mandeville, Manzella, Meyers, Miller, Monforton, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Richmond, Salomon, Shaw, Staffanson, Wagoner, Welborn, White, Wittich, Zolnikov.

Total 42

Excused: Kipp III.

Total 1

Absent or not voting: Clark.

Total 1

**THIRD READING OF BILLS**

**HB 8** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 87

Nays: Berglee, B. Brown, Hertz, Lamm, Manzella, Monforton, Mortensen, Noland, Schwaderer, Wittich, Zolnikov.

Total 11

Excused: Kipp III, Pierson.

Total 2

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

Absent or not voting: None.

Total 0

**HJR 32** adopted as follows:

Yeas: B. Bennett, Brodehl, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Greef, Hayman, Hill, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lieser, Lynch, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Moore, Mortensen, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pope, Price, Ricci, Schreiner, Schwaderer, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Williams, Wilson, Woods.

Total 50

Nays: Ballance, J. Bennett, Berglee, Berry, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Lamm, Lang, Laszloffy, Lavin, MacDonald, Mandeville, Manzella, Meyers, Miller, Monforton, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Richmond, Salomon, Shaw, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 48

Excused: Kipp III, Pierson.

Total 2

Absent or not voting: None.

Total 0

**SB 316** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Olszewski.

Total 1

Excused: Kipp III, Pierson.

Total 2

HOUSE JOURNAL  
EIGHTY-THIRD LEGISLATIVE DAY - APRIL 23, 2015

Absent or not voting: None.

Total 0

**MOTIONS**

Representative McCarthy moved to reconsider action on **HB 10** and that **HB 10** be moved from 3rd reading to Committee of the Whole, this same day, Thursday, April 23, 2015. Without objection, motion carried.

Majority Leader Regier moved to appoint a Conference Committee on **HB 10** and request the Senate to appoint a like committee. Motion carried. Speaker Knudsen appointed:

4/23/2015

Representative Ehli  
Representative Lavin  
Representative McCarthy

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 10:00 a.m., Friday, April 24, 2015. Motion carried.

House adjourned at 7:03 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
EIGHTY-FOURTH LEGISLATIVE DAY**

Helena, Montana  
April 24, 2015

House Chambers  
State Capitol

House convened at 10:00 a.m. Mr. Speaker presiding. Invocation by Representative Jerry Bennett. Pledge of Allegiance to the Flag. Roll Call. All members present. Quorum present.

**BILLS** (Welborn, Chair):

4/24/2015

Correctly enrolled: **HB 2, HB 6, HB 10, HB 512, HJR 21, HJR 27.**

Signed by the Speaker at 3:15 p.m., April 24, 2015: **HB 4, HB 7, HB 9, HB 11, HB 34, HB 150, HB 156, HB 167, HB 204, HB 211, HB 219, HB 223, HB 226, HB 228, HB 270, HB 300, HB 403, HB 423, HB 464, HB 487, HB 488, HB 496, HB 510, HB 560, HB 577, HB 590, HB 604, HB 617, HB 627, HB 628, HJR 13, HR 3.**

Signed by the Chief Clerk of the House at 5:50 p.m., April 24, 2015: **HB 4, HB 7, HB 9, HB 11, HB 34, HB 150, HB 156, HB 167, HB 204, HB 211, HB 219, HB 223, HB 226, HB 228, HB 270, HB 300, HB 403, HB 423, HB 464, HB 487, HB 488, HB 496, HB 510, HB 560, HB 577, HB 590, HB 604, HB 617, HB 627, HB 628, HJR 13, HR 3.**

Signed by the Speaker at 3:45 p.m., April 24, 2015: **HB 559.**

Signed by the Chief Clerk of the House at 6:00 p.m., April 24, 2015: **HB 559.**

Signed by the Speaker at 4:00 p.m., April 24, 2015: **HB 28, HB 140, HB 306, HB 463, HB 599.**

Signed by the Chief Clerk of the House at 5:30 p.m., April 24, 2015: **HB 28, HB 140, HB 306, HB 463, HB 599.**

Signed by the President at 2:30 p.m., April 24, 2015: **HB 118, HB 123, HB 389, HB 421, HB 468, HB 486, HB 575, HB 612.**

Delivered to the Governor for approval at 3:33 p.m., April 24, 2015: **HB 118, HB 123, HB 389, HB 421, HB 468, HB 486, HB 575, HB 612.**

Majority Leader Regier announced the Republicans would caucus.

Minority Leader Hunter announced the Democrats would caucus.

**REPORTS OF SELECT COMMITTEES**

**FREE CONFERENCE COMMITTEE  
on House Bill 33**

Report No. 002, April 24, 2015

Madam President and Mr. Speaker:

We, your Free Conference Committee met and considered **House Bill 33** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **House Bill 33** (reference copy -- salmon) be amended as follows:

HOUSE JOURNAL  
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2015

1. Title, page 1, line 7.

**Following:** "COUNTIES;"

**Insert:** "REDUCING LOCAL GOVERNMENT ENTITLEMENT SHARE PAYMENTS AND CERTAIN CALCULATIONS FOR THE PURPOSE OF PROVIDING FUNDING;"

2. Title, page 1, line 8.

**Strike:** "SECTION"

**Insert:** "SECTIONS 15-1-121 AND"

3. Page 1, line 12.

**Following:** line 11

**Insert:** "Section 1. Section 15-1-121, MCA, is amended to read:

**"15-1-121. Entitlement share payment -- purpose -- appropriation.** (1) As described in 15-1-120(3), each local government is entitled to an annual amount that is the replacement for revenue received by local governments for diminishment of property tax base and various earmarked fees and other revenue that, pursuant to Chapter 574, Laws of 2001, amended by section 4, Chapter 13, Special Laws of August 2002, and later enactments, were consolidated to provide aggregation of certain reimbursements, fees, tax collections, and other revenue in the state treasury with each local government's share. The reimbursement under this section is provided by direct payment from the state treasury rather than the ad hoc system that offset certain state payments with local government collections due the state and reimbursements made by percentage splits, with a local government remitting a portion of collections to the state, retaining a portion, and in some cases sending a portion to other local governments.

(2) The sources of dedicated revenue that were relinquished by local governments in exchange for an entitlement share of the state general fund were:

(a) personal property tax reimbursements pursuant to sections 167(1) through (5) and 169(6), Chapter 584, Laws of 1999;

(b) vehicle, boat, and aircraft taxes and fees pursuant to:

(i) Title 23, chapter 2, part 5;

(ii) Title 23, chapter 2, part 6;

(iii) Title 23, chapter 2, part 8;

(iv) 61-3-317;

(v) 61-3-321;

(vi) Title 61, chapter 3, part 5, except for 61-3-509(3), as that subsection read prior to the amendment of 61-3-509 in 2001;

(vii) Title 61, chapter 3, part 7;

(viii) 5% of the fees collected under 61-10-122;

(ix) 61-10-130;

(x) 61-10-148; and

(xi) 67-3-205;

(c) gaming revenue pursuant to Title 23, chapter 5, part 6, except for the permit fee in 23-5-612(2)(a);

(d) district court fees pursuant to:

(i) 25-1-201, except those fees in 25-1-201(1)(d), (1)(g), and (1)(j);mk

(ii) 25-1-202;

HOUSE JOURNAL  
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2015

(iii) 25-9-506; and  
(iv) 27-9-103;  
(e) certificate of title fees for manufactured homes pursuant to 15-1-116;  
(f) financial institution taxes collected pursuant to the former provisions of Title 15, chapter 31, part 7;  
(g) all beer, liquor, and wine taxes pursuant to:  
(i) 16-1-404;  
(ii) 16-1-406; and  
(iii) 16-1-411;  
(h) late filing fees pursuant to 61-3-220;  
(i) title and registration fees pursuant to 61-3-203;  
(j) veterans' cemetery license plate fees pursuant to 61-3-459;  
(k) county personalized license plate fees pursuant to 61-3-406;  
(l) special mobile equipment fees pursuant to 61-3-431;  
(m) single movement permit fees pursuant to 61-4-310;  
(n) state aeronautics fees pursuant to 67-3-101; and  
(o) department of natural resources and conservation payments in lieu of taxes pursuant to Title 77, chapter 1, part 5.

(3) (a) Except as provided in subsection (3)(b), the total amount received by each local government in the prior fiscal year 2010 as an entitlement share payment under this section is the base component for the subsequent fiscal year 2011 distribution, and in each subsequent year the prior year entitlement share payment, including any reimbursement payments received pursuant to subsection (7), is each local government's base component. ~~The Subject to subsection (3)(b), the sum of all local governments' base components is the fiscal year entitlement share pool.~~

(b) ~~The For fiscal year 2016, the fiscal year entitlement share pool is reduced by \$1,049,904 total amount received by each local government in fiscal year 2011 as an entitlement share payment under this section is the base component for fiscal year 2012 and 2013 distributions, and in each subsequent year the prior year entitlement share payment, including any reimbursement payments received pursuant to subsection (7), is each local government's base component. The sum of all local governments' base components is the fiscal year entitlement share pool.~~

(4) (a) ~~With the exception of fiscal years 2012 and 2013 Subject to subsection (3)(b), the base entitlement share pool must be increased annually by an entitlement share growth rate as provided for in this subsection (4). The amount determined through the application of annual growth rates is the entitlement share pool for each fiscal year, with the exception of fiscal years 2012 and 2013.~~

(b) By October 1 of each year, the department shall calculate the growth rate of the entitlement share pool for the current year in the following manner:

(i) The department shall calculate the entitlement share growth rate based on the ratio of two factors of state revenue sources for the first, second, and third most recently completed fiscal years as recorded on the statewide budgeting and accounting system. The first factor is the sum of the revenue for the first and second previous completed fiscal years received from the sources referred to in subsection subsections (2)(b), (2)(c), and (2)(g) divided by the sum of the revenue for the second and third previous completed fiscal years received from the same sources multiplied by 0.75. The second factor is the sum of the revenue for the first and second previous completed fiscal years received from individual income tax as provided in Title 15, chapter 30, and corporate

HOUSE JOURNAL  
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2015

income tax as provided in Title 15, chapter 31, divided by the sum of the revenue for the second and third previous completed fiscal years received from the same sources multiplied by 0.25.

(ii) Except as provided in subsection (4)(b)(iii), the entitlement share growth rate is the lesser of:

(A) the sum of the first factor plus the second factor; or

(B) 1.03 for counties, 1.0325 for consolidated local governments, and 1.035 for cities and towns.

(iii) In no instance can the entitlement growth factor be less than 1. The Subject to subsection (4)(b)(iv), the entitlement share growth rate is applied to the most recently completed fiscal year entitlement payment to determine the subsequent fiscal year payment.

(iv) For fiscal year 2016, the entitlement share growth rate is applied to the most recently completed fiscal year entitlement payment minus \$1,049,904 to determine the subsequent fiscal year payment.

(5) As used in this section, "local government" means a county, a consolidated local government, an incorporated city, and an incorporated town. A local government does not include a tax increment financing district provided for in subsection (8). The county or consolidated local government is responsible for making an allocation from the county's or consolidated local government's share of the entitlement share pool to each special district within the county or consolidated local government in a manner that reasonably reflects each special district's loss of revenue sources for which reimbursement is provided in this section. The allocation for each special district that existed in 2002 must be based on the relative proportion of the loss of revenue in 2002.

(6) (a) The entitlement share pools calculated in this section, the amounts determined under 15-1-123(2) for local governments, the funding provided for in subsection (8) of this section, and the amounts determined under 15-1-123(4) for tax increment financing districts are statutorily appropriated, as provided in 17-7-502, from the general fund to the department for distribution to local governments. Except for the distribution made under 15-1-123(2)(b), the distributions must be made on a quarterly basis.

(b) (i) The growth amount is the difference between the entitlement share pool in the current fiscal year and the entitlement share pool in the previous fiscal year. The growth factor in the entitlement share must be calculated separately for:

(A) counties;

(B) consolidated local governments; and

(C) incorporated cities and towns.

(ii) In each fiscal year, the growth amount for counties must be allocated as follows:

(A) 50% of the growth amount must be allocated based upon each county's percentage of the prior fiscal year entitlement share pool for all counties; and

(B) 50% of the growth amount must be allocated based upon the percentage that each county's population bears to the state population not residing within consolidated local governments as determined by the latest interim year population estimates from the Montana department of commerce as supplied by the United States bureau of the census.

(iii) In each fiscal year, the growth amount for consolidated local governments must be allocated as follows:

(A) 50% of the growth amount must be allocated based upon each consolidated local government's percentage of the prior fiscal year entitlement share pool for all consolidated local governments; and

HOUSE JOURNAL  
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2015

(B) 50% of the growth amount must be allocated based upon the percentage that each consolidated local government's population bears to the state's total population residing within consolidated local governments as determined by the latest interim year population estimates from the Montana department of commerce as supplied by the United States bureau of the census.

(iv) In each fiscal year, the growth amount for incorporated cities and towns must be allocated as follows:

(A) 50% of the growth amount must be allocated based upon each incorporated city's or town's percentage of the prior fiscal year entitlement share pool for all incorporated cities and towns; and

(B) 50% of the growth amount must be allocated based upon the percentage that each city's or town's population bears to the state's total population residing within incorporated cities and towns as determined by the latest interim year population estimates from the Montana department of commerce as supplied by the United States bureau of the census.

(v) In each fiscal year, the amount of the entitlement share pool before the growth amount or adjustments made under subsection (7) are applied is to be distributed to each local government in the same manner as the entitlement share pool was distributed in the prior fiscal year.

(7) If the legislature enacts a reimbursement provision that is to be distributed pursuant to this section, the department shall determine the reimbursement amount as provided in the enactment and add the appropriate amount to the entitlement share distribution under this section. The total entitlement share distributions in a fiscal year, including distributions made pursuant to this subsection, equal the local fiscal year entitlement share pool. The ratio of each local government's distribution from the entitlement share pool must be recomputed to determine each local government's ratio to be used in the subsequent year's distribution determination under subsections (6)(b)(ii)(A), (6)(b)(iii)(A), and (6)(b)(iv)(A).

(8) (a) Except for a tax increment financing district entitled to a reimbursement under 15-1-123(4), if a tax increment financing district was not in existence during the fiscal year ending June 30, 2000, then the tax increment financing district is not entitled to any funding. If a tax increment financing district referred to in subsection (8)(b) terminates, then the funding for the district provided for in subsection (8)(b) terminates.

(b) Except for the reimbursement made under 15-1-123(4)(b), one-half of the payments provided for in this subsection (8)(b) must be made by November 30 and the other half by May 31 of each year. Subject to subsection (8)(a), the entitlement share for tax increment financing districts is as follows:

Deer Lodge	TIF District 1	\$2,833
Deer Lodge	TIF District 2	2,813
Flathead	Kalispell - District 2	4,638
Flathead	Kalispell - District 3	37,231
Flathead	Whitefish District	148,194
Gallatin	Bozeman - downtown	31,158
Missoula	Missoula - 1-1C	225,251
Missoula	Missoula - 4-1C	30,009
Silver Bow	Butte - uptown	255,421

(9) The estimated fiscal year entitlement share pool and any subsequent entitlement share pool for local governments do not include revenue received from tax increment financing districts, from countywide transportation block grants, or from countywide retirement block grants.



HOUSE JOURNAL  
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2015

(10) When there has been an underpayment of a local government's share of the entitlement share pool, the department shall distribute the difference between the underpayment and the correct amount of the entitlement share. When there has been an overpayment of a local government's entitlement share, the local government shall remit the overpaid amount to the department.

(11) A local government may appeal the department's estimation of the base component, the entitlement share growth rate, or a local government's allocation of the entitlement share pool, according to the uniform dispute review procedure in 15-1-211.

(12) A payment required pursuant to this section may not be offset by a debt owed to a state agency by a local government in accordance with Title 17, chapter 4, part 1."

**Renumber:** subsequent sections

4. Page 2, line 13.

**Following:** "used"

**Insert:** "in the following order"

5. Page 2, line 25 through line 30.

**Strike:** subsection (5) in its entirety

**Renumber:** subsequent subsection

6. Page 3, line 11.

**Following:** "\$1.85 MILLION"

**Insert:** "or more"

7. Page 3, line 13.

**Strike:** "2"

**Insert:** "3"

For the Senate:

Keenan, Chair

Caferro

Thomas

For the House:

Ehli, Vice Chair

Burnett

Schreiner

**FREE CONFERENCE COMMITTEE**  
on **Senate Bill 354**

Report No. 001, April 24, 2015

Madam President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 354** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 354** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 10 through line 11.

**Strike:** "REQUIRING" on line 10 through "FORMULA;" on line 11

HOUSE JOURNAL  
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2015

2. Page 2, line 17.

**Following:** "account"

**Insert:** " -- annual transfer to school facility and technology account"

3. Page 2, line 27.

**Following:** "through 6]."

**Insert:** "The state treasurer shall transfer 10% of the interest earnings received from the build Montana endowment fund to the school facility and technology account established in 20-9-516 for funding projects outlined in 20-9-516(1)(c), (1)(d), and (1(f))."

4. Page 3, line 9.

**Following:** "5]."

**Insert:** "The subcommittee may establish ranking criteria for infrastructure projects."

5. Page 3, line 14 through line 15.

**Strike:** "BETWEEN" on line 14 through "1(F)." on line 15

6. Page 3, line 17.

**Following:** "approval."

**Insert:** "Grants for local government road and street projects may not exceed 30% of the total funds available for granting from the build Montana fund in a biennium."

7. Page 3, line 22.

**Following:** line 21

**Insert:** "(8) The department of commerce shall administer the grants approved by the legislature."

8. Page 3, line 24 through line 25.

**Strike:** "and the" on line 24 through "conservation" on line 25

9. Page 3, line 25.

**Strike:** "a list to the subcommittee"

**Insert:** "to the subcommittee a list"

**Following:** "projects"

**Insert:** "and a list of local government road and street projects"

10. Page 3, line 27.

**Following:** "to"

**Insert:** ": (a)"

11. Page 3, line 28.

**Following:** "criteria"

**Insert:** "for infrastructure projects that are not local government road or street projects; and (b) the criteria established under [section 6] for local government road and street projects"

HOUSE JOURNAL  
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2015

12. Page 3, line 29.

**Strike:** "May"

**Insert:** "February"

**Following:** "year,"

**Insert:** "governing bodies of"

13. Page 3, line 29 through line 30.

**Strike:** "organizations" on line 29 through "governments," on line 30

14. Page 3, line 30 through page 4, line 1.

**Strike:** "AN ENTITY" on page 3, line 30 through "SYSTEMS" on page 4, line 1

**Insert:** "the statewide interoperability governing board"

15. Page 4, line 1 through line 2.

**Strike:** "a list" on line 1 through "recommended" on line 2

**Insert:** "applications for infrastructure projects to the department of commerce"

16. Page 4, line 4 through line 18.

**Strike:** section 6 in its entirety

**Insert:**        "NEW SECTION. **Section 6. Criteria for local government road and street project grants -- application requirements.** (1) Grants for local government road and street projects are available for:

    (a) preventive maintenance;

    (b) rehabilitation, including projects designed to extend the life of existing road surfaces by pothole filling, crack sealing, chip sealing, graveling, asphaltting, and overlaying;

    (c) restoration;

    (d) construction; and

    (e) reconstruction.

    (3) A local government road or street project for construction improvement of a gravel road should be designed in accordance with the Montana county gravel road standards established by the local technical assistance program at Montana state university as a minimum design standard.

    (4) A local government road or street project for construction improvement of a paved street or road should be designed in accordance with the standards of the American association of state highway and transportation officials if applicable.

    (5) Applications for local government road and street project grants must provide the following information:

        (a) scope;

        (b) schedule;

        (c) budget, including the amount and source of the match requirement and the strategy for administering and tracking;

        (d) roles and responsibilities of the local government; and

        (e) maintenance commitment by the local government.

    (6) All grant recipients for local government road and street projects under [section 3] shall comply with the provisions of Title 7, chapter 5, part 23, and Title 7, chapter 14, part 24."

HOUSE JOURNAL  
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2015

For the Senate:  
Ripley, Chair  
L. Jones  
Sesso

For the House:  
G. Bennett, Vice Chair  
Lieser  
Noland

**MESSAGES FROM THE SENATE**

**House bill not** concurred in and returned to the House: 4/24/2015

**HJ 23**, introduced by Lamm

**House joint resolutions** concurred in and returned to the House: 4/24/2015

**HJR 21**, introduced by B. Bennett

**HJR 27**, introduced by Tschida

**Governor's amendments to Senate bill** concurred in and transmitted to the House for concurrence in the Governor's amendments: 4/24/2015

**SB 336**, introduced by Keenan

**House amendments to Senate joint resolution** concurred in: 4/24/2015

**SJR 2**, introduced by Hamlett

Conference Committee Report No.1 adopted: 4/24/2015

**HB 512**, introduced by Mortensen

**SB 138**, introduced by Hoven

**Free** Conference Committee Report No.1 adopted: 4/24/2015

**SB 171**, introduced by Tutvedt

**SB 283**, introduced by Brenden

**SB 389**, introduced by Hamlett

**SB 410**, introduced by L. Jones

**Free** Conference Committee Report No.1 **not** adopted: 4/24/2015

**SB 353**, introduced by Ripley

HOUSE JOURNAL  
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2015

**MOTIONS**

Representative Hertz moved re-refer **SB 416** to Committee of the Whole, this same day, Friday, April 24, 2015.

Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 91

Nays: Berry, Clark, Cook, Hollandsworth, Monforton, Salomon, Schwaderer, Wittich, Zolnikov.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Randall in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**SB 354 - Free Conference Committee Report No. 1** - Representative White moved the Free Conference Committee report to **SB 354** be adopted. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci,

HOUSE JOURNAL  
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2015

Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Mr. Speaker.

Total 56

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Zolnikov.

Total 44

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 416** - Representative Osmundson moved **SB 416** be concurred in.

**SB 416** - Representative Glimm moved **SB 416**, second reading copy, be amended as follows:

1. Title, page 1, line 5.

**Following:** "CREATING"

**Insert:** "A"

2. Title, page 1, line 5 through line 6.

**Strike:** "AND LOAN" on line 5 through "ACCOUNTS" on line 6

**Insert:** "ACCOUNT"

3. Title, page 1, line 7 through line 11.

**Strike:** "ESTABLISHING" on line 7 through "PROJECTS;" on line 11

**Insert:** "APPROPRIATING MONEY TO THE DEPARTMENTS OF COMMERCE AND NATURAL RESOURCES AND CONSERVATION FOR GRANTS AND LOANS TO STATE AND LOCAL ENTITIES AND REGIONAL WATER AUTHORITIES FOR PROJECTS AND IMPROVEMENTS; ESTABLISHING GRANTS TO ASSIST LOCAL GOVERNMENTS WITH INFRASTRUCTURE AND OTHER NEEDS AS A RESULT OF OIL AND GAS IMPACTS; AUTHORIZING AN INTERIM STUDY; APPROPRIATING MONEY FOR CAPITAL PROJECTS;"

4. Title, page 1, line 13 through line 14.

**Strike:** "AMENDING" on line 13 through "MCA;" on line 14

5. Title, page 1, line 13.

**Strike:** "AND A TERMINATION DATE"

HOUSE JOURNAL  
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2015

6. Page 1, line 17 through page 15, line 12.

**Strike:** everything after the enacting clause

**Insert:** "NEW SECTION. **Section 1. Local infrastructure account -- appropriations and transfer.** (1) There is within the state special revenue fund provided for in 17-2-102 an account called the local infrastructure grant program account to provide grant funding to local governments for local infrastructure projects.

(2) Funds in the account are appropriated as follows:

(a) upon passage and approval of [this act]:

(i) up to \$7,000,000 to the department of natural resources and conservation for renewable resource grants as set forth in [section 2];

(ii) up to \$7,000,000 to the department of commerce for treasure state endowment grants as set forth in [section 3];

(iii) up to \$7,000,000 to the department of commerce for school facility and technology grants as set forth in [section 4];

(iv) up to \$27,500,000 to the department of commerce for the purposes set forth in [section 7]; and

(v) up to \$2,700,000 to the department of natural resources and conservation as set forth in [section 8];

(b) If another \$23.1 million is transferred from the general fund into the account pursuant to [section 12], those funds are appropriated as follows;

(i) up to \$1,200,000 to the department of natural resources and conservation for renewable resource grants as set forth in [section 2];

(ii) up to \$1,300,000 to the department of commerce for treasure state endowment grants as set forth in [section 3];

(iii) up to \$8,100,000 to the department of commerce for school facility and technology grants as set forth in [section 4]; and

(v) \$12.5 million is transferred from the grant program account to the long-range building program account and appropriated to the department of administration for the following projects as follows:

(A) Butte-MTECH - Renovate Engineering Facilities

\$5,000,000 (LRBP) \$4,000,000 (Authority only)

(B) Missoula-UM-Renovation Clapp Science Building

\$5,000,000 (LRBP) \$5,000,000 (Authority only)

(C) Construct Science and Instructional Tech Building Addition, MSU-Billings  
\$3,100,000 (LRBP)"

**Insert:** "NEW SECTION. **Section 2. Appropriation for renewable resource grants.**

The following are the prioritized grant projects:

Missoula County

(Buena Vista Trailer Community Wastewater

Improvements Phase 1) \$77,385

Denton, Town of(Water System) \$125,000

Buffalo Rapids Irrigation Project District 1

(Lateral 19.3 Pipeline Conversion Project Phase 1) \$125,000

Winifred, Town of

(Water System Improvements) \$125,000

HOUSE JOURNAL  
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2015

Highwood County Water and Sewer District  
(Wastewater System Improvements) \$125,000  
Lower Yellowstone Irrigation Project  
(Wasteway Project) \$65,000  
Department of Natural Resources and Conservation-Water Resources Division (East Fork Rock  
Creek Main Canal Lining Project) \$125,000  
Riverside Water and Sewer District  
(Wastewater Facility Plan) \$125,000  
Lewistown, City Of  
(Riverdale Subdivision Wastewater Collection System) \$125,000  
East Clark Street Water and Sewer District  
(Wastewater Collection System) \$125,000  
Daly Ditches Irrigation District  
(Preservation and Conservation of Resources) \$125,000  
Buffalo Rapids Irrigation Project District 2  
(Main Canal Rehabilitation) \$125,000  
Sidney Water Users Irrigation District  
(High Canal Phase 5 Project) \$125,000  
Lower Musselshell County Conservation District  
(DMWUA South Canal Pre-Tunnel Lining Project) \$125,000  
Clinton Irrigation District  
(Canal Wasteway Rehabilitation) \$125,000  
Roundup, City of  
(Water System Improvements) \$125,000  
Missoula County Weed District  
(Montana Biological Weed Control Coordination Project) \$100,500  
Jordan, Town of  
(Wastewater System Improvements) \$125,000  
Crow Tribe of Indians  
(Wastewater Collection System Improvement Project) \$125,000  
Helena Valley Irrigation District (Irrigation Efficiency and Water Conservation Project)  
\$125,000  
Fort Shaw Irrigation District  
(Reduce Waste Project) \$125,000  
Hysham Irrigation District  
(Re-Lift Canal Improvement Project) \$125,000  
South Wind Water and Sewer District  
(Water Distribution and Wastewater Collection Study) \$125,000  
Bainville, Town of  
(Water System Improvements) \$125,000  
Black Eagle-Cascade County Water & Sewer District  
(Wastewater Collection System Rehabilitation Phase 2) \$125,000  
Yellowstone Boys and Girls Ranch  
(Wastewater Improvements Project) \$125,000  
Fort Peck Tribes Lateral L-42M Rehabilitation Project,  
Phase 1) \$125,000



HOUSE JOURNAL  
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2015

Toston Irrigation District  
(Toston Canal Rehabilitation Project) \$125,000  
Hot Springs, Town of  
(Wastewater Improvements Project) \$125,000  
Lockwood Irrigation District  
(Pump Station Rehabilitation) \$125,000  
Missoula, City of  
(Buckhouse Bridge Outfall - Stormwater Treatment Retrofit) \$125,000  
Harlowton, City of  
(Phase 3 Water System Improvements) \$125,000  
Greenfields Irrigation District  
(J-Lake Rehabilitation and Water Quality Improvement) \$125,000  
Malta Irrigation District  
(Exeter Siphon Replacement Project) \$125,000  
Garfield County Conservation District  
(Little Dry Water User's Association-Infrastructure Improvements) \$125,000  
Gallatin County  
(Septic System Repair Assistance Program) \$125,000  
Flaxville, Town of  
(Water System Improvements) \$125,000  
Glasgow, City of  
(Water System Improvements) \$125,000  
Conrad, City of  
(Conrad Water System Improvements) \$125,000  
Missoula Irrigation District  
(Water Conservation Project) \$125,000  
Malta Irrigation District(Peoples Creek Diversion Dike  
Rehabilitation Project) \$125,000  
East Bench Irrigation District  
(Main Canal Gate Automation) \$125,000  
Dillon, City of  
(Water System Improvements) \$125,000  
Medicine Lake, Town of  
(Wastewater Improvements) \$125,000  
Kevin, Town of  
(Wastewater Improvement Project - 2014) \$125,000  
Department of Environmental Quality  
(Montana Time of Travel - Interactive Web Map  
Application for Montana) \$125,000  
Liberty County Conservation District  
(Marias River Bank Stabilization Project  
- Phase 2) \$125,000  
Foy's Lakeside County Water and Sewer District  
(Water System Improvements) \$125,000  
Ruby Valley Conservation District  
(Smith Slough/Smith Ditch Fisheries

HOUSE JOURNAL  
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2015

Enhancement Project)	\$125,000
Green Mountain Conservation District (Improving Water Quality and Fish Habitat in the Vermilion River Watershed)	\$120,248
Glen Lake Irrigation District (Costich Drop Rehabilitation Project)	\$125,000
Lincoln County (Measuring and Modeling the Effects of Mining and Associated Reclamation Activities on Selenium and Nitrate Inputs to Lake Koocanusa)	\$110,500
Petroleum County Conservation District (Musselshell Watershed Prioritized Projects Initiative)	\$125,000
Big Sandy, Town of (Water System Improvements)	\$125,000
RAE Subdivision County Water and Sewer District No. 313 (Woodland Park Well)	\$125,000
Judith Gap, Town of (Phase Sewer Improvements)	\$125,000
Gore Hill County Water District (Water System Improvements)	\$125,000
Department of Natural Resources and Conservation-Flathead Basin Commission (Flathead Basin Watershed Plan)	\$125,000
Huntley Project Irrigation District (Feasibility Study)	\$125,000
Crow Tribe of Indians (Crow Agency Renewable Energy Technology Wastewater Treatment Facility)	\$117,500
Park County Conservation District (Upper Shields River Fish Barrier and Road Improvements)	\$120,000
Bozeman, City of (Sourdough Canyon Natural Water Storage Assessment)	\$125,000
Department of Natural Resources and Conservation-Water Resources Division (Willow Creek Access Road Rehabilitation Project)	\$125,000
Sanders County (Middle Clark Fork River, Plains Reach - Channel Stabilization)	\$125,000
Thompson Falls, City of (Water System Improvements)	\$125,000
Shelby, City of (Stormwater System Improvements)	\$125,000
Mile High Conservation District (Blacktail Creek Non Point Nutrient Management Project)	\$125,000"

HOUSE JOURNAL  
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2015

**Insert:**        "NEW SECTION. Section 3. Appropriation for treasure state endowment grants. The following applicants and projects are authorized for grants and listed in the order of their priority:

Other Infrastructure Applicant (project type)	Grant Amount
Flaxville, Town of (wastewater)	\$624,376
Conrad, City of (water)	\$500,000
Dillon, City of (water)	\$625,000
Medicine Lake, Town of (wastewater)	\$500,000
Denton, Town of (water)	\$625,000
Neihart, Town of (water)	\$500,000
Tri-County Water District (water)	\$661,000
Winifred, Town of (water)	\$625,000
Livingston, City of (wastewater)	\$625,000
Simms County Sewer District (wastewater)	\$500,000
Sunburst, Town of (wastewater)	\$107,000
Judith Gap, Town of (wastewater)	\$125,000
Chester, Town of (wastewater)	\$500,000
Jordan, Town of (wastewater)	\$500,000
Foys Lakeside Estates Water and Sewer District (water)	\$157,150
Philipsburg, Town of (wastewater)	\$545,000

Bridge Applicant	Grant Amount
Chouteau County	\$12,654
Ravalli County	\$195,798
Broadwater County	\$338,100"

**Insert:**        "NEW SECTION. Section 4. Appropriation for school facility and technology grants. The following applicants and projects are authorized for grants and listed in the order of their priority:

Applicant/Project	Grant Amount
1. Miles City ELE (Fire system upgrades)	\$179,812
2. Custer County HS (Drainage and roof upgrades)	\$480,127
3. Yellowstone Academy ELE (wastewater)	\$235,000
4. Pryor ELE (Replace unsafe school)	\$610,000
5. Wolf Point ELE (Drainage and roof upgrades)	\$431,150
6. Arlee ELE (Replace boiler)	\$187,500
7. Livingston ELE (HVAC upgrades)	\$332,500
8. Polson ELE (replace boiler and system)	\$668,991
9. Rosebud K-12 (water quality upgrades)	\$87,150
10. Ashland ELE (roof replacement)	\$506,500
11. Grass Range HS (roof replacement)	\$31,382
12. Park City ELE (roof replacement)	\$281,198
13. Troy ELE (boiler replacement)	\$62,700
14. Amsterdam ELE (fire system upgrades)	\$116,325
15. Roundup HS (fire system upgrades)	\$68,688

HOUSE JOURNAL  
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2015

16. Troy HS (energy efficiency upgrades)	\$147,944
17. Trout Creek ELE (asbestos abatement)	\$51,300
18. Cascade ELE (HVAC upgrades)	\$167,772
19. Superior K-12 (HVAC upgrades)	\$235,202
20. Lavina K-12 (technology center addition)	\$750,000
21. Shields Valley ELE (boiler replacement)	\$229,156
22. Billings HS (HVAC upgrades)	\$766,606
23. Missoula ELE (classroom upgrades)	\$340,669
24. Missoula HS (classroom upgrades)	\$161,914
25. Plentywood K-12 (boiler replacement)	\$450,000
26. St. Regis K-12 (security upgrades)	\$272,472
27. Kalispell ELE (energy efficiency upgrades)	\$262,949
28. Powell County HS (lighting upgrades)	\$122,395
29. Stevensville ELE (HVAC upgrades)	\$432,947
30. Bridger K-12 (replace boiler)	\$159,000
31. Forsyth HS (HVAC upgrades)	\$127,705
32. Libby K-12 (HVAC upgrades)	\$534,639
33. Lockwood ELE (roof replacement)	\$456,262
34. Stevensville HS (HVAC upgrades)	\$475,026
35. Glasgow K-12 (security upgrades)	\$75,465
36. Three Forks HS (electrical system)	\$60,999
37. Fair-Mont-Egan ELE (facility expansion)	\$183,184
38. Frenchtown K-12 (energy efficiency upgrades)	\$213,204
39. Havre HS (HVAC upgrades)	\$262,500
40. Townsend K-12 (HVAC upgrades)	\$115,670
41. West Valley ELE (kitchen equipment)	\$175,000
42. Laurel ELE (HVAC upgrades)	\$316,000
43. Butte HS (HVAC upgrades)	\$595,323
44. North Star HS (HVAC upgrades)	\$196,308
45. Stanford K-12 (HVAC upgrades)	\$206,520
46. Lolo ELE (security upgrades)	\$170,175
47. Hamilton K-12 (energy efficiency upgrades)	\$476,608
48. Power HS (kitchen upgrades)	\$278,527
49. Anderson ELE (HVAC upgrades)	\$104,500
50. Colstrip ELE (school renovation)	\$375,000
51. North Star ELE (HVAC upgrades)	\$167,405
52. Simms HS (new Vo-Ag and science building)	\$571,417
53. Clinton ELE (energy efficiency upgrades)	\$156,892"

**Insert:**        "NEW SECTION. Section 5. Definitions. As used in [sections 5 through 7], the following definitions apply:

(1) "Department" means the department of commerce established in 2-15-1801.

(2) "Local government" means an incorporated city or town, a county, a consolidated local government, a tribal government, a public school district, an authority as defined in 75-6-304, or a county or multicounty water, sewer, or solid waste district.

(3) "Oil and gas impact projects" means:

HOUSE JOURNAL  
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2015

- (a) drinking water systems;
  - (b) wastewater treatment;
  - (c) sanitary sewer or storm sewer systems;
  - (d) solid waste disposal and separation systems, including site acquisition, preparation, or monitoring;
  - (e) roads;
  - (f) bridges;
  - (g) facilities for government administration, fire protection, law enforcement, schools, and emergency services; or
  - (h) projects related to public health and public welfare issues arising from or related to sex trafficking and criminal solicitation issues, especially concerning youth, and including educational or counseling programs.
- (4) "Public services" means essential public services provided by oil and gas impact projects.
- (5) "Tribal government" means the government of a federally recognized Indian tribe within the state of Montana."

**Insert:**        "NEW SECTION. Section 6. Application for grants. The governing body of a local government may apply for a grant for oil and gas impact projects for:

- (1) major repairs to or deferred maintenance on an oil and gas impact project;
- (2) major improvements, enhancements, or expansions to an oil and gas impact project;
- (3) construction of a new oil and gas impact project;
- (4) preliminary planning or design of an oil and gas impact project; or
- (5) continuation and completion of a project initiated on or before [the effective date of this act] that meets the definition of an oil and gas impact project provided in [section 5]."

**Insert:**        "NEW SECTION. Section 7. Basis for awarding grants. (1) The department of commerce shall award grants for oil and gas impact projects that are needed as a direct consequence of an increase in oil and gas development activity.

(2) No more than 10% of the funds awarded annually for grants may be for fire protection and emergency services.

(3) When awarding grants under subsection (1), the department shall:

(a) give preference to infrastructure projects that are located in whole or in part in a county or are contiguous to a county where a horizontally completed well, as defined in 15-36-303, has been drilled within the last 3 years according to the department of natural resources and conservation; and

(b) after preference has been determined pursuant to subsection (3)(a), prioritize projects in the following order:

(i) projects that solve urgent and serious public health or safety problems or that enable local governments to meet state or federal health or safety standards;

(ii) projects that solve a local government's inability to provide adequate public services to an existing population; and

(iii) projects that solve a local government's inability to provide adequate public services to estimated future populations.

HOUSE JOURNAL  
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2015

(4) When awarding grants under this section, the department shall also consider the following attributes of an application for an oil and gas impact project grant:

(a) the local government's need for financial assistance, including whether the local government has committed to contributing financially to the project;

(b) whether the local government has completed all preliminary engineering and plan and specification review for the project and will be able to successfully manage the project in a timely manner and complete the project within the proposed budget and timeline;

(c) the extent of previous efforts by the local government to implement:

(i) long-term planning and management of the public facility or facilities;

(ii) long-term planning and management of the jurisdiction's anticipated future growth in population and the local government's ability to provide adequate public services to that population; and

(iii) proportional contributions from new development for the expansion, repair, maintenance, or operation of the public facility or facilities; and

(d) the importance of the project to the community, the extent of public notice provided about the project to the community, and the amount of community participation in and support for the project.

(5) When awarding planning or design grants pursuant to [section 6(4)], the department shall distribute the planning grants on a first-come, first-served basis, giving preference to local governments that are already experiencing impacts associated with oil and gas development.

(6) (a) The department:

(i) shall disburse grant funds to local governments for costs incurred for eligible oil and gas impact project expenses;

(ii) shall establish annual deadlines for submitting applications for oil and gas impact project grants; and

(iii) may adopt rules necessary to implement this section.

(b) Nothing in this subsection (6) prohibits the department from disbursing grant funds to reimburse local governments for costs incurred on or before [the effective date of this act] for eligible oil and gas impact project expenses.

(7) Grants made under this program are subject to review by the legislative finance committee."

**Insert:**        "NEW SECTION. **Section 8. Laurel drinking water project grant.** There is appropriated \$2.7 million from the account established in [section 1(1)] to the department of natural resources and conservation to grant to the city of Laurel for the drinking water intake modification and replacement project in the biennium beginning July 1, 2015."

**Insert:**        "NEW SECTION. **Section 9. Appropriation for reclamation and development grants.** If the department of natural resources and conservation receives bond proceeds pursuant to [section 13], the sum of \$1,700,000 is appropriated to the department to award the following grants in the order of their priority:

Madison County (North Willow Creek Reclamation) \$213,087

Cascade County

(Identifying the Fate of Acid Mine Drainage and Potential Impacts to Madison Aquifer) \$327,322

HOUSE JOURNAL  
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2015

Montana Bureau of Mines & Geology  
(Enhance Monitoring Fox Hills - Hell Creek Aquifer) \$499,109  
Montana Bureau of Mines & Geology  
(Enhance Montana's Manufacturing Growth Through Production of Commodities from Remediation) \$498,171  
Roosevelt County  
(Kenco Refinery Highest Priority Cleanup) \$150,000"

**Insert:**        "NEW SECTION. Section 10. Construction of veterans' home in southwestern Montana. If the department of administration receives state funds for the construction of the state veterans' home in southwestern Montana from the appropriation in [section 14] and if federal grant funds for the construction of the veterans' home are received afterwards, the federal funds must be deposited into the general fund."

**Insert:**        "Section 11. Section 5, Chapter 324, Laws of 2011, is amended to read:  
                  **Section 5. Capital project appropriations.** (1) There is appropriated ~~\$4,812,500~~ up to \$5,293,750 from state special revenue account established in section 2, Chapter 461, Laws of 2009, to the department of administration for the southwestern Montana veterans' home project.  
                  (2) There is appropriated ~~\$8,937,500~~ up to \$9,831,250 from the federal special revenue fund to the department of administration for the southwestern Montana veterans' home project.  
                  (3) The department of administration is authorized to transfer the appropriations in subsections (1) and (2) among the necessary fund types for this project."

**Insert:**        "NEW SECTION. Section 12. General fund transfer. (1) For the biennium beginning July 1, 2015, the department of administration shall transfer \$51.2 million from the general fund to the local infrastructure grant program account provided for in [section 1(1)].

                  (2) If the certified unaudited general fund revenue, including transfers in, received in fiscal year 2015 as determined on August 1, 2015, by the state treasurer exceeds \$2.152 billion by at least \$30 million but no more than \$60 million, there is transferred an additional \$23.1 million from the general fund to the local infrastructure grant program account provided for in [section 1(1)]."

**Insert:**        "NEW SECTION. Section 13. Authorization of bonds --conditions -- transfers. (1) If the certified unaudited general fund revenue, including transfers in, received in fiscal year 2015 as determined on August 1, 2015, by the state treasurer exceeds \$2.152 billion by \$60 million or more, the board of examiners is authorized to issue and sell general obligation bonds in one or more series and from time to time for the purpose of funding capital projects as set forth in [sections 9 and 14] in addition to the amount of general obligation bonds outstanding on January 1, 2015.

                  (2) The bonds under this section must be issued in accordance with the terms and in the manner required by Title 17, chapter 5, part 8. The authority granted to the board of examiners by this section is in addition to any other authorization to the board of examiners to issue and sell general obligation bonds.

                  (3) The department of administration shall deposit \$18,300,000 of the bond proceeds into the long-range building program account for the projects set forth in [section 14] and

HOUSE JOURNAL  
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2015

deposit \$1,700,000 to the account established in [section 1(1)] for reclamation and development grants as set forth in [section 9]."

**Insert:**        "NEW SECTION. Section 14. Appropriations and authorizations of projects. (1) If bonds are issued pursuant to [section 13], the following projects, pursuant to 18-2-102, are authorized and approved:

DEPARTMENT OF ADMINISTRATION

State Veterans' Home in Southwestern Montana

\$10,000,000 (LRBP)

MONTANA UNIVERSITY SYSTEM

Library Renovation - MSU Billings

\$2,650,000 (LRBP)

Land acquisition - Great Falls College-MSU

\$750,000 (LRBP) \$750,000 (Total)

DEPARTMENT OF FISH, WILDLIFE, & PARKS

Lewis & Clark Caverns SP Electrical Upgrades \$2,000,000 (LRBP)

Nevada and Virginia Cities   \$900,000 (LRBP)

(2) The funding for Great Falls College-MSU constitutes authority only for purposes of section 4, Chapter 381, Laws of 2013."

**Insert:**        "NEW SECTION. Section 15. Interim study regarding impacts of closure of Montana developmental center -- appropriation. (1) In the biennium beginning July 1, 2015, a subcommittee shall convene to study the impacts of a closure of the Montana developmental center and present its findings to the children, families, health, and human services interim committee by August 1, 2016.

(2) The subcommittee is composed of six members as follows:

(a) two members appointed by the house minority leader; (b) one member appointed by the speaker of the house of representatives;

(c) two members appointed by the president of the senate; and

(d) one member appointed by the senate minority leader.

(3) The personnel, data, and facilities of the legislative services division and other appropriate legislative entities must be made available to the subcommittee.

(4) In the biennium beginning July 1, 2015, there is appropriated \$25,000 from the general fund to the legislative services division to conduct the study authorized in this section."

**Insert:**        "COORDINATION SECTION. Section 16. Coordination instruction. If House Bill No. 512 is not passed and approved or is passed and approved without an appropriation, the \$1.5 million in general fund is appropriated to the department of justice for a crime lab branch in Billings and the amount of the appropriation in [section 1] for grants for the purposes set forth in [section 7] is reduced from \$27.5 million to \$26 million and the transfer authorized in [section 12] is reduced from \$51.2 million to \$49.7 million."

**Insert:**        "NEW SECTION. Section 17. Creation of state debt. Because [section 13] authorizes the creation of state debt, Article VIII, section 8, of the Montana constitution requires a vote of two-thirds of the members of each house of the legislature for passage."



HOUSE JOURNAL  
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2015

**Insert:**        "NEW SECTION. Section 18. Effective date. [This act] is effective on passage and approval."

Amendment not adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov.  
Total 45

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.  
Total 55

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 416** - Representative Osmundson moved **SB 416**, second reading copy, be amended as follows:

1. Title, page 1, line 13.  
**Following:** "AUTHORITY;"  
**Insert:** "PROVIDING A STATUTORY APPROPRIATION;"  
**Following:** "15-10-420"  
**Insert:** ", "  
**Strike:** "AND"  
**Following:** "16-11-119,"  
**Insert:** "AND 17-7-502,"

2. Page 2, line 22.  
**Following:** "ARE"  
**Insert:** "statutorily"  
**Following:** "APPROPRIATED"  
**Insert:** ", AS PROVIDED IN 17-7-502,"

HOUSE JOURNAL  
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2015

3. Page 3, line 4.

**Strike:** "19"

**Insert:** "20"

4. Page 3, line 7.

**Strike:** "19"

**Insert:** "20"

5. Page 8, line 16.

**Strike:** "19"

**Insert:** "20"

6. Page 13, line 4.

**Insert:** "Section 17. Section 17-7-502, MCA, is amended to read:

**"17-7-502. Statutory appropriations -- definition -- requisites for validity.** (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-15-247; 2-17-105; 5-11-120; 5-11-407; 5-13-403; 7-4-2502; 10-1-108; 10-1-1202; 10-1-1303; 10-2-603; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-121; 15-1-218; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121; 15-70-101; 15-70-369; 15-70-601; 16-11-509; 17-3-106; 17-3-112; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 18-11-112; 19-3-319; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-8-107; 20-9-534; 20-9-622; 20-26-1503; 22-1-327; 22-3-1004; 23-4-105; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 30-10-1004; 37-43-204; 37-51-501; 39-1-105; 39-71-503; 41-5-2011; 42-2-105; 44-4-1101; 44-12-206; 44-13-102; 53-1-109; 53-1-215; 53-2-208; 53-9-113; 53-24-108; 53-24-206; 60-11-115; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 76-13-150; 76-13-416; 77-1-108; 77-2-362; 80-2-222; 80-4-416; 80-11-518; 81-1-112; 81-7-106; 81-10-103; 82-11-161; 85-20-1504; 85-20-1505; 87-1-603; 90-1-115; 90-1-205; 90-1-504; 90-3-1003; [section 2]; 90-6-331; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates contingently when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 10, Ch. 10,

HOUSE JOURNAL  
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2015

Sp. L. May 2000, secs. 3 and 6, Ch. 481, L. 2003, and sec. 2, Ch. 459, L. 2009, the inclusion of 15-35-108 terminates June 30, 2019; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410 terminates contingently upon the death of the last recipient eligible under 19-6-709(2) for the supplemental benefit provided by 19-6-709; pursuant to sec. 14, Ch. 374, L. 2009, the inclusion of 53-9-113 terminates June 30, 2015; pursuant to sec. 5, Ch. 442, L. 2009, the inclusion of 90-6-331 terminates June 30, 2019; pursuant to sec. 16, Ch. 58, L. 2011, the inclusion of 30-10-1004 terminates June 30, 2017; pursuant to sec. 6, Ch. 61, L. 2011, the inclusion of 76-13-416 terminates June 30, 2019; pursuant to sec. 13, Ch. 339, L. 2011, the inclusion of 81-1-112 and 81-7-106 terminates June 30, 2017; pursuant to sec. 11(2), Ch. 17, L. 2013, the inclusion of 17-3-112 terminates on occurrence of contingency; pursuant to secs. 3 and 5, Ch. 244, L. 2013, the inclusion of 22-1-327 is effective July 1, 2015, and terminates July 1, 2017; and pursuant to sec. 10, Ch. 413, L. 2013, the inclusion of 2-15-247, 39-1-105, 53-1-215, and 53-2-208 terminates June 30, 2015.)"

**Renumber:** subsequent sections

Amendment adopted as follows:

Yeas: B. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 86

Nays: Ballance, J. Bennett, Glimm, Harris, Hertz, Lamm, Manzella, Monforton, Olszewski, Regier, Schwaderer, White, Wittich, Zolnikov.

Total 14

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 416** - Representative Osmundson moved **SB 416**, as amended, be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Garner, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald,

HOUSE JOURNAL  
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2015

Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Mortensen, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.  
Total 67

Nays: J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Ehli, Fiscus, Flynn, Glimm, Greef, Harris, Hertz, Jones, Lamm, Laszloffy, Lavin, Manzella, Miller, Monforton, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Schwaderer, Tschida, Wagoner, White, Wittich, Zolnikov.  
Total 32

Excused: None.  
Total 0

Absent or not voting: Hagstrom.  
Total 1

Majority Leader Regier moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Randall moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.  
Total 79

Nays: J. Bennett, Berglee, Brodehl, B. Brown, Flynn, Glimm, Harris, Hertz, Lamm, Laszloffy, Manzella, Noland, Olszewski, Pinocci, Regier, Schwaderer, Tschida, Wagoner, White, Wittich, Zolnikov.  
Total 21

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

House in Recess  
House Reconvened

HOUSE JOURNAL  
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2015

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Randall in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 33 - Free Conference Committee Report No. 1** - Representative Ehli moved the Free Conference Committee report to **HB 33** be adopted. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 91

Nays: B. Brown, Burnett, Monforton, Olszewski, Schwaderer, Wagoner, White, Wittich, Zolnikov.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Randall moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price,

HOUSE JOURNAL  
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2015

Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Harris, Lamm, Schwaderer, Staffanson.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 2** passed as follows:

Yeas: Ballance, B. Bennett, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 81

Nays: J. Bennett, Berglee, B. Brown, Doane, Essmann, Fitzpatrick, Hertz, Lamm, Laszloffy, Miller, Monforton, Mortensen, Randall, Schwaderer, Staffanson, Wagoner, White, Wittich, Zolnikov.

Total 19

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2015

**HB 6** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.  
Total 92

Nays: Burnett, Essmann, Lamm, Monforton, Schwaderer, White, Wittich, Zolnikov.  
Total 8

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 10** passed as follows:

Yeas: B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Williams, Wilson, Wittich, Woods, Mr. Speaker.  
Total 80

Nays: Ballance, J. Bennett, B. Brown, Essmann, Fitzpatrick, Glimm, Lamm, Laszloffy, Manzella, Monforton, Noland, Olszewski, Pinocci, Redfield, Regier, Schwaderer, Tschida, Welborn, White, Zolnikov.  
Total 20

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2015

**SB 260** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Dudik, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Kipp III, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McCarthy, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Osmundson, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Shaw, Smith, Staffanson, Tropila, Tschida, Wagoner, Welborn, White, Mr. Speaker.

Total 62

Nays: B. Bennett, Z. Brown, Court, Curdy, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Karjala, Kelker, Lieser, Lynch, MacDonald, McClafferty, McConnell, Monforton, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pope, Price, Schreiner, Schwaderer, Steenberg, Swanson, Webber, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 38

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 416 failed** ( due to 2/3 vote requirement) as follows:

Yeas: Ballance, B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Moore, Mortensen, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 64

Nays: J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Ehli, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Manzella, Meyers, Miller, Monforton, Noland, Olszewski, Randall, Redfield, Regier, Schwaderer, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 36

Excused: None.

Total 0

Absent or not voting: None.

Total 0



HOUSE JOURNAL  
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2015

**SB 418** concurred in as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 89

Nays: J. Bennett, B. Brown, Burnett, Lamm, Monforton, Olszewski, Schwaderer, Tschida, White, Wittich, Zolnikov.

Total 11

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 512** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Burnett, Glimm, Lamm, Pinocci.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2015

**SB 171** concurred in as follows:

Yeas: J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Lang, Lavin, Mandeville, McKamey, Monforton, Moore, Mortensen, Noland, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, Wittich, Zolnikov, Mr. Speaker.

Total 52

Nays: Ballance, B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, Hayman, Hill, Hunter, Karjala, Kelker, Kipp III, Laszloffy, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, White, Williams, Wilson, Woods.

Total 48

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 410** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Harris, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 42

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2015

**SB 353** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McCarthy, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Mr. Speaker.  
Total 59

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Zolnikov.  
Total 41

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 138** concurred in as follows:

Yeas: J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lang, Lavin, Lynch, Mandeville, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Peppers, Person, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Mr. Speaker.  
Total 64

Nays: Ballance, B. Bennett, B. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Hayman, Hill, Hunter, Karjala, Kelker, Kipp III, Lamm, Laszloffy, Lieser, MacDonald, Manzella, McCarthy, McClafferty, McConnell, Noonan, Olsen, Pease-Lopez, Perry, Pierson, Pinocci, Pope, Steenberg, Swanson, Wilson, Wittich, Woods, Zolnikov.  
Total 36

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2015

**SB 336** concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Karjala, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, Manzella, McCarthy, McConnell, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Peppers, Perry, Pierson, Pinocci, Randall, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Tropila, Tschida, Welborn, White, Williams, Wittich, Zolnikov, Mr. Speaker.

Total 67

Nays: Brodehl, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, Harris, Hill, Hunter, Jones, Kelker, Kipp III, Lamm, MacDonald, McClafferty, McKamey, Mehlhoff, Olsen, Pease-Lopez, Person, Pope, Price, Redfield, Schreiner, Steenberg, Swanson, Wagoner, Webber, Wilson, Woods.

Total 33

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**MOTIONS**

Minority Leader Hunter moved to suspend the Rules to allow **SB 416** be put on third reading, this same day, April 24, 2015.

Motion **failed** as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Garner, Hagstrom, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 65

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Ehli, Fiscus, Flynn, Glimm, Greef, Harris, Hertz, Lamm, Lang, Laszloffy, Lavin, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Pinocci, Redfield, Regier, Ricci, Schwaderer, Staffanson, Wagoner, White, Wittich, Zolnikov.

Total 35

HOUSE JOURNAL  
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SPECIAL ORDERS OF THE DAY**

Representative Redfield thanked the pages for their service.

Majority Leader Regier presented Speaker Knudsen and Chief Clerk Grovom with plaques and thanked them for their service.

Speaker Knudsen presented Majority Leader Regier with a plaque in thanks for his service to the Majority Caucus.

Representative Doane and Representative Court honored Representative Jerry Bennett as Legislator and Chairman of the Year for the 64th Legislative Session.

**ANNOUNCEMENTS**

Majority Leader Regier moved that the House adjourn until 8:00 a.m., Saturday, April 25, 2015. Motion carried.

House adjourned at 2:41 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
EIGHTY-FIFTH LEGISLATIVE DAY**

Helena, Montana  
April 25, 2015

House Chambers  
State Capitol

House convened at 8:00 a.m. Mr. Speaker presiding. Invocation by Representative Hagstrom. Pledge of Allegiance to the Flag. Roll Call. All members present, except Representative Webber, excused. Quorum present.

**BILLS** (Welborn, Chair):

4/25/2015

Correctly enrolled: **HB 33, HJR 26, HJR 29.**

Signed by the President at 8:30 a.m., April 25, 2015: **HB 4, HB 7, HB 9, HB 11, HB 28, HB 34, HB 114, HB 115, HB 140, HB 150, HB 156, HB 167, HB 204, HB 211, HB 219, HB 223, HB 226, HB 228, HB 270, HB 300, HB 306, HB 359, HB 403, HB 423, HB 454, HB 463, HB 464, HB 487, HB 488, HB 496, HB 510, HB 517, HB 559, HB 560, HB 577, HB 590, HB 599, HB 604, HB 617, HB 627, HB 628, HB 629, HJR 13.**

Delivered to the Governor at 9:37 a.m., April 25, 2015: **HB 34, HB 204, HB 270, HB 306.**

Delivered to the Governor for approval at 9:37 a.m., April 25, 2015: **HB 4, HB 7, HB 9, HB 11, HB 28, HB 114, HB 115, HB 150, HB 156, HB 167, HB 211, HB 219, HB 223, HB 226, HB 228, HB 300, HB 359, HB 403, HB 423, HB 454, HB 463, HB 464, HB 487, HB 488, HB 496, HB 510, HB 517, HB 559, HB 560, HB 577, HB 590, HB 599, HB 604, HB 617, HB 627, HB 628, HB 629.**

Representative Custer rose on a **Point of Personal Privilege** regarding a document that referred to her legislation in a negative manner.

**MESSAGES FROM THE SENATE**

**House joint resolutions** concurred in and returned to the House:

4/24/2015

**HJR 26**, introduced by Pierson

**HJR 29**, introduced by Olsen

**House amendments to Senate bill** concurred in:

4/24/2015

**SB 316**, introduced by Webb

Conference Committee Report No.1 adopted:

4/24/2015

**HB 10**, introduced by McCarthy

HOUSE JOURNAL  
EIGHTY-FIFTH LEGISLATIVE DAY - APRIL 25, 2015

Free Conference Committee Report No.1 adopted:

4/24/2015

**HB 2**, introduced by Ballance  
**HB 6**, introduced by Cuffe  
**HB 33**, introduced by Ehli  
**SB 260**, introduced by F. Moore  
**SB 354**, introduced by Ripley  
**SB 418**, introduced by L. Jones

**MESSAGES FROM THE GOVERNOR**

April 24, 2015

The Honorable Austin Knudsen  
Speaker of the House  
State Capitol  
Helena, Montana 59620

Dear Speaker Knudsen:

Please be informed that I have signed **House Bill 60** sponsored by Representative Curdy, **House Bill 89** sponsored by Representative Dudik, **House Bill 196** sponsored by Representative Webber, **House Bill 337** sponsored by Representative Karjala, **House Bill 358** sponsored by Representative Lynch, **House Bill 525** sponsored by Representative Noland, **House Bill 553** sponsored by Representative Noland, and **House Bill 606** sponsored by Representative Clark on April 24, 2015.

Sincerely,

STEVE BULLOCK  
Governor

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**SB 416 failed** (due to the 2/3 vote requirement) as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Garner, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Osmundson,

HOUSE JOURNAL  
EIGHTY-FIFTH LEGISLATIVE DAY - APRIL 25, 2015

Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Welborn, Williams, Wilson, Woods, Mr. Speaker.  
Total 64

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Ehli, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Jones, Lamm, Lang, Laszloffy, Manzella, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov.  
Total 35

Excused: Webber.  
Total 1

Absent or not voting: None.  
Total 0

**HB 33** passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 91

Nays: B. Brown, Burnett, Lamm, Monforton, Schwaderer, Wagoner, Wittich, Zolnikov.  
Total 8

Excused: Webber.  
Total 1

Absent or not voting: None.  
Total 0

**SB 354** concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lang, Laszloffy, Lavin, Mandeville, Manzella, McCarthy, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Olszewski, Osmundson, Perry, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson,



HOUSE JOURNAL  
EIGHTY-FIFTH LEGISLATIVE DAY - APRIL 25, 2015

Tschida, Wagoner, Welborn, White, Mr. Speaker.

Total 57

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lieser, Lynch, MacDonald, McClafferty, McConnell, Monforton, Noonan, Olsen, Pease-Lopez, Peppers, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 42

Excused: Webber.

Total 1

Absent or not voting: None.

Total 0

**MOTIONS**

Representative Hertz moved to Suspend the Rules in order to reconsider action on **SB 402** and that **SB 402** be placed on third reading on this same day, April 25, 2015..

Motion **passed** as follows:

Yeas: Ballance, Berglee, Berry, Clark, Cook, Cuffe, Curdy, Custer, Doane, Dudik, Ehli, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Harris, Hertz, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, McCarthy, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Swanson, Tschida, Wagoner, Welborn, White, Williams, Woods, Mr. Speaker.

Total 71

Nays: B. Bennett, J. Bennett, Brodehl, B. Brown, Z. Brown, Burnett, Court, Dunwell, Eck, Ellis, Flynn, Glimm, Hayman, Hess, Hill, Lamm, MacDonald, Manzella, McConnell, Monforton, Osmundson, Pope, Staffanson, Steenberg, Tropila, Wilson, Wittich, Zolnikov.

Total 28

Excused: Webber.

Total 1

Absent or not voting: None.

Total 0

Minority Leader Hunter moved to reconsider action on **SB 416** and that **SB 416** be placed on third reading on this same day, April 25, 2015.

HOUSE JOURNAL  
EIGHTY-FIFTH LEGISLATIVE DAY - APRIL 25, 2015

Representative Wittich made a substitute motion to adjourn until Monday, April 26, 2015.

Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Brodehl, B. Brown, Cuffe, Ehli, Fiscus, Flynn, Glimm, Hagstrom, Harris, Hertz, Hess, Lamm, Laszloffy, Manzella, Meyers, Monforton, Mortensen, Noland, Olsen, Olszewski, Pinocci, Ricci, Schwaderer, Staffanson, Tschida, White, Wittich, Zolnikov.

Total 30

Nays: B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Garner, Greef, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Moore,

Noonan, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 69

Excused: Webber.

Total 1

Absent or not voting: None.

Total 0

Motion to reconsider **passed** as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Garner, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 60

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Jones, Lamm, Laszloffy, Lavin, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 39

Excused: Webber.

Total 1

HOUSE JOURNAL  
EIGHTY-FIFTH LEGISLATIVE DAY - APRIL 25, 2015

Absent or not voting: None.

Total 0

House Recessed.

House Reconvened.

**THIRD READING OF BILLS**

**SB 416 failed** (due to 2/3 vote requirement) as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Garner, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 60

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Ehli, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Jones, Lamm, Lang, Laszloffy, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 39

Excused: Webber.

Total 1

Absent or not voting: None.

Total 0

**SB 402 failed** as follows:

Yeas: Berglee, Berry, Clark, Cook, Cuffe, Custer, Doane, Dudik, Ehli, Essmann, Fitzpatrick, Funk, Garner, Hertz, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kipp III, Lang, Laszloffy, Lavin, Lynch, McCarthy, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Pease-Lopez, Peppers, Perry, Person, Pierson, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Swanson, Welborn, Mr. Speaker.

Total 49

Nays: Ballance, B. Bennett, J. Bennett, Brodehl, B. Brown, Z. Brown, Burnett, Court, Curdy, Dunwell, Eck, Ellis, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Hayman, Hill, Jones, Kelker, Lamm, Lieser, MacDonald, Mandeville, Manzella, McConnell, Monforton, Mortensen, Noland, Olsen, Olszewski, Osmundson, Pinocci, Pope, Price, Schwaderer, Staffanson, Steenberg, Tropila, Tschida, Wagoner, White, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 49

HOUSE JOURNAL  
EIGHTY-FIFTH LEGISLATIVE DAY - APRIL 25, 2015

Excused: Webber.

Total 1

Absent or not voting: Hess.

Total 1

**MOTIONS**

Representatives McClafferty, Funk and Kelker moved to change their vote on **SB 354** from Yes to No. Without objection, so ordered.

Minority Leader Hunter moved to reconsider action on **SB 416** and that **SB 416** be placed on third reading on Monday, April 27, 2015.

Representative Wittich made a substitute motion to adjourn and reconvene, April 27, 2015 at 12:00 p.m.

Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Holmlund, Jones, Lamm, Laszloffy, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 43

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hess, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Welborn, Williams, Wilson, Woods.

Total 56

Excused: Webber.

Total 1

Absent or not voting: None.

Total 0

Motion to reconsider **passed** as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell,

HOUSE JOURNAL  
EIGHTY-FIFTH LEGISLATIVE DAY - APRIL 25, 2015

Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 56

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Ehli, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Wagoner, White, Wittich, Zolnikov.

Total 42

Excused: Webber.

Total 1

Absent or not voting: Tschida.

Total 1

Representative Wittich rose on appeal, requesting an interpretation of the Rules from the Speaker with regard to his objection, citing H50-170(7).

The Speaker ruled that when an action is taken and fails on reconsideration, it cannot be reconsidered further. However, If a reconsideration motion passes, the legislation may continue to be reconsidered. Therefore, the Speaker ruled the objection out of order.

Representative Richmond moved to reconsider action on **SB 402** and that **SB 402** be placed on third reading on this same day, April 25, 2015.

Representative Wittich made a substitute motion to adjourn.

Motion failed as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Ehli, Ellis, Essmann, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Holmlund, Jones, Lamm, Laszloffy, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Peppers, Pinocci, Schwaderer, Tropila, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 40

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Fitzpatrick, Funk, Garner, Hayman, Hess, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Welborn, Williams, Wilson, Woods.

Total 58

HOUSE JOURNAL  
EIGHTY-FIFTH LEGISLATIVE DAY - APRIL 25, 2015

Excused: Webber.

Total 1

Absent or not voting: Tschida.

Total 1

Motion to reconsider **failed** as follows:

Yeas: Berry, Clark, Cook, Cuffe, Curdy, Custer, Doane, Dudik, Essmann, Fitzpatrick, Funk, Garner, Hertz, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kipp III, Lang, Lavin, Lynch, McCarthy, McClafferty, McKamey, Mehlhoff, Miller, Moore, Noonan, Pease-Lopez, Perry, Person, Pierson, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Swanson, Wagoner, Welborn, Mr. Speaker.

Total 47

Nays: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Court, Dunwell, Eck, Ehli, Ellis, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Jones, Kelker, Lamm, Laszloffy, Lieser, MacDonald, Mandeville, Manzella, McConnell, Meyers, Monforton, Mortensen, Noland, Olsen, Olszewski, Osmundson, Peppers, Pinocci, Pope, Schwaderer, Staffanson, Steenberg, Tropila, White, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 51

Excused: Webber.

Total 1

Absent or not voting: Tschida.

Total 1

Representative Dudik rose on a **Point of Order** stating that per H60-40(a), a substitute motion to adjourn during a reconsider motion was out of order.

Representative Essmann rose on a **Point of Order**, stating that H60-40 only applied when the motion was interrupting a vote.

**SPECIAL ORDERS OF THE DAY**

Representative Williams rose to thank Representative Pierson and Senator Blasdel for the Prime Rib Dinner they prepared for members of the Legislature in the Rotunda. Representative Pierson announced that the dinner raised \$560 for Special Olympics.

Representative Tropila thanked the pages for their service.

HOUSE JOURNAL  
EIGHTY-FIFTH LEGISLATIVE DAY - APRIL 25, 2015

**ANNOUNCEMENTS**

Majority Leader Regier moved that the House adjourn until 10:00 a.m., Monday, April 27, 2015.  
Motion carried.

House adjourned at 9:20 a.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
EIGHTY-SIXTH LEGISLATIVE DAY**

Helena, Montana  
April 27, 2015

House Chambers  
State Capitol

House convened at 10:00 a.m. Mr. Speaker presiding. Invocation by Representative Person. Pledge of Allegiance to the Flag. Roll Call. All members present, except Representative Randall, excused. Quorum present.

**BILLS** (Welborn, Chair): 4/27/2015

Delivered to the Secretary of State at 8:34 a.m., April 27, 2015: **HJR 13, HR 3.**

**LEGISLATIVE ADMINISTRATION** (Welborn, Chair): 4/27/2015

MR. SPEAKER:

We, your committee on Legislative Administration recommend that employment of the following pages of the House be ceased as of 12:00 p.m., Saturday, April 25, 2015:

Wyatt Zylawy, Alberton  
Tom Story, Emigrant  
Madison Purdy, Victor  
Michael Walsh, Twin Bridges  
Raynor Stene, Joliet  
Daniel Strobel, Absarokee  
Katy Lindberg, Belgrade

and recommend that the following pages of the House be employed as of 10:00 a.m., Monday, April 27, 2015:

Lindsay Benson, Belgrade  
Anna Balian, Bozeman  
Abigail Konen, Fairfield

Report Adopted.

Majority Leader Regier announced the Republicans would caucus.

Minority Leader Hunter announced the Democrats would caucus.

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:



HOUSE JOURNAL  
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 27, 2015

**SB 416 failed** (due to 2/3 vote requirement) as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Garner, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Mortensen, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 66

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Ehli, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Jones, Lamm, Laszloffy, Manzella, Miller, Monforton, Noland, Olszewski, Pinocci, Redfield, Regier, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 33

Excused: Randall.

Total 1

Absent or not voting: None.

Total 0

**MOTIONS**

Minority Leader Hunter requested the House stand at ease.

House in Recess

House Reconvened

Minority Leader Hunter moved to suspend the rules to allow **SB 416** be placed on third reading this same day, April 27, 2015.

Motion **failed** as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hess, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 57

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Holmlund, Jones, Lamm, Lang, Laszloffy,

HOUSE JOURNAL  
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 27, 2015

Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Mortensen, Noland, Olszewski, Pinocci, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov.  
Total 42

Excused: Randall.  
Total 1

Absent or not voting: None.  
Total 0

Representative Miller moved the House adjourn **Sine Die**.

Motion passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Court, Cuffe, Curdy, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Lavin, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Schreiner, Schwaderer, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.  
Total 81

Nays: Berry, Clark, Cook, Custer, Hollandsworth, Laszloffy, Mandeville, Mehlhoff, Meyers, Noonan, Olsen, Peppers, Richmond, Salomon, Shaw, Staffanson, Welborn, Zolnikov.  
Total 18

Excused: Randall.  
Total 1

Absent or not voting: None.  
Total 0

Minority Leader Hunter made closing remarks  
Majority Leader Regier made closing remarks  
Speaker Knudsen made closing remarks

Representative Staffanson moved to reconsider action on **SB 416** and place it on Committee of the Whole, this same day, April 27, 2015.

The Speaker ruled the motion out of order.

Representative Hollandsworth thanked the staff.

HOUSE JOURNAL  
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 27, 2015

**ANNOUNCEMENTS**

The Speaker announced the House was adjourned pending consent from the Senate to adjourn Sine Die.

House adjourned at 1:03 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE  
EIGHTY-SEVENTH LEGISLATIVE DAY**

Helena, Montana  
April 28, 2015

House Chambers  
State Capitol

House convened at 7:00 a.m. Mr. Speaker presiding. Invocation by Representative Hagstrom. Pledge of Allegiance to the Flag. Roll Call. All members present, except Representative Randall, excused. Quorum present.

**BILLS** (Welborn, Chair):

4/28/2015

Correctly enrolled: **HB 8**.

Signed by the Speaker at 4:00 p.m., April 28, 2015: **HB 2, HB 6, HB 8, HB 10, HB 33, HJR 21, HJR 26, HJR 27, HJR 29**.

Signed by the Chief Clerk of the House at 5:00 p.m., April 28, 2015: **HB 2, HB 6, HB 8, HB 10, HB 33, HJR 21, HJR 26, HJR 27, HJR 29**.

**LEGISLATIVE ADMINISTRATION** (Welborn, Chair):

4/28/2015

MR. SPEAKER:

We, your committee on Legislative Administration recommend that employment of the following pages of the House be ceased as of 12:00 p.m., Tuesday, April 28, 2015:

Lindsay Benson, Belgrade  
Anna Balian, Bozeman  
Abigail Konen, Fairfield

Report Adopted.

**MESSAGES FROM THE GOVERNOR**

April 27, 2015

The Honorable Austin Knudsen  
Speaker of the House  
State Capitol  
Helena, Montana 59620

Dear Speaker Knudsen:

Please be informed that I have signed **House Bill 29** sponsored by Representative Jacobson, **House Bill 78** sponsored by Representative Lynch, **House Bill 180** sponsored by Representative B. Smith, **House Bill 258** sponsored by Representative Williams, **House Bill 373** sponsored by Representative Staffanson, **House Bill 379** sponsored by Representative Hertz, **House Bill 434** sponsored by Representative Lieser, **House Bill 448** sponsored by Representative Wagoner, **House Bill 470** sponsored by Representative Clark, **House Bill 491** sponsored by Representative

HOUSE JOURNAL  
EIGHTY-SEVENTH LEGISLATIVE DAY - APRIL 28, 2015

Lavin, **House Bill 516** sponsored by Representative MacDonald, **House Bill 523** sponsored by Representative Berglee, **House Bill 538** sponsored by Representative Miller, **House Bill 542** sponsored by Representative Hertz, **House Bill 550** sponsored by Representative Swanson, and **House Bill 554** sponsored by Representative Pierson on April 27, 2015.

These bills were delivered to the Secretary of State's Office today.

I have vetoed **House Bill 533** by Representative Wagoner and **House Bill 587** by Representative Regier.

Sincerely,

STEVE BULLOCK  
Governor

April 27, 2015

The Honorable Austin Knudsen  
Speaker of the House  
State Capitol  
Helena, Montana 59620

Dear Speaker Knudsen:

Please be informed that I have signed **House Bill 4** sponsored by Representative Ballance, **House Bill 7** sponsored by Representative Cuffe, **House Bill 11** sponsored by Representative Cuffe, and **House Bill 411** sponsored by Representative Richmond on April 27, 2015.

Sincerely,

STEVE BULLOCK  
Governor

**MOTIONS**

Minority Leader Hunter moved to suspend the rules to allow **SB 416** to be put on third reading this same day, April 28, 2015.

Motion **failed** as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Garner, Hess, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey,

HOUSE JOURNAL  
EIGHTY-SEVENTH LEGISLATIVE DAY - APRIL 28, 2015

Mehlhoff, Meyers, Moore, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 61

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Ehli, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Holmlund, Jones, Lamm, Laszloffy, Lavin, Mandeville, Manzella,

Miller, Monforton, Mortensen, Noland, Olszewski, Pinocci, Redfield, Regier, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 37

Excused: Hayman, Randall.

Total 2

Absent or not voting: None.

Total 0

Representative Miller moved the House adjourn **Sine Die**.

Motion passed as follows:

Yeas: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Court, Cuffe, Curdy, Doane, Dudik, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Holmlund, Hunter, Jacobson, Lamm, Lang, Laszloffy, Lavin, Lieser, Manzella, McCarthy, McConnell, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Perry, Pinocci, Pope, Price, Redfield, Regier, Ricci, Schwaderer, Staffanson, Steenberg, Tschida, Wagoner, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 63

Nays: B. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Custer, Dunwell, Funk, Hollandsworth, Jones, Karjala, Kelker, Kipp III, Lynch, MacDonald, Mandeville, McClafferty, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Person, Pierson, Richmond, Salomon, Schreiner, Shaw, Smith, Swanson, Tropila, Webber, Welborn, Zolnikov.

Total 35

Excused: Hayman, Randall.

Total 2

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
EIGHTY-SEVENTH LEGISLATIVE DAY - APRIL 28, 2015

House adjourned Sine Die for the 64th Legislative Session of the House of Representatives  
at 7:09 a.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House

**HOUSE JOURNAL  
64TH LEGISLATURE**

**ADDENDUM**

Helena, Montana  
2015

House Chambers  
State Capitol

**BILLS** (Welborn, Chair):

4/28/2015

Signed by the Speaker at 4 p.m., April 28, 2015: **HB 2, HB 6, HB 8, HB 10, HB 33 GA, HB 512.**  
Signed by the Speaker at 4 p.m., April 28, 2015: **HJR 21, HJR 26, HJR 27, HJR 29.**

**BILLS** (Welborn, Chair):

4/29/2015

Signed by the President at 1:33 p.m., April 29, 2015: **HB 2, HB 6, HB 8, HB 10, HB 33, HB 512, HJR 21, HJR 26, HJR 27, HJR 29.**

Delivered to the Governor for approval at 11:17 a.m., April 29, 2015: **HB 140.**

**BILLS** (Welborn, Chair):

4/30/2015

Delivered to the Governor for approval at 11:12 a.m., April 30, 2015: **HB 6, HB 8, HB 10, HB 33, HB 512.**

Delivered to the Governor for approval at 1:26 p.m., April 30, 2015: **HB 2.**

Delivered to the Secretary of State at 11:15 a.m., April 30, 2015: **HJR 21, HJR 26, HJR 27, HJR 29.**

**MESSAGES FROM THE GOVERNOR**

April 29, 2015

The Honorable Austin Knudsen  
Speaker of the House  
State Capitol  
Helena, Montana 59620

Dear Speaker Knudsen:

On Wednesday, April 29, 2015, I signed the following bills:

**House Bill 123** - D. Jones  
**House Bill 145** - M. Cuffe  
**House Bill 356** - D. Jones  
**House Bill 374** - E. McClafferty  
**House Bill 421** - T. Berry  
**House Bill 430** - S. Fitzpatrick  
**House Bill 472** - T. Jacobson  
**House Bill 483** - E. Lieser



HOUSE JOURNAL  
ADDENDUM  
64TH LEGISLATURE

**House Bill 504** - D. Hayman

These bills were delivered to the Secretary of State's Office today.

Sincerely,

STEVE BULLOCK  
Governor

April 30, 2015

The Honorable Austin Knudsen  
Speaker of the House  
State Capitol  
Helena, Montana 59620

Dear Speaker Knudsen:

On Thursday, April 30, 2015, I signed and delivered the following bills to the Secretary of State:

**House Bill 118** - B. Bennett  
**House Bill 119** - T. Berry  
**House Bill 244** - J. Essmann  
**House Bill 389** - J. Essmann  
**House Bill 468** - G. Pierson  
**House Bill 486** - R. Cook  
**House Bill 506** - D. Moore  
**House Bill 612** - K. Dudik

I have vetoed the following bills:

**House Bill 154** - R. Hollandsworth  
**House Bill 322** - D. Jones  
**House Bill 381** - T. Burnett  
**House Bill 479** - A. Olszewski  
**House Bill 575** - T. Burnett  
**House Bill 614** - A. Wittich.

These bills and veto messages have been delivered to the Secretary of State.

Sincerely,  
STEVE BULLOCK  
Governor

HOUSE JOURNAL  
ADDENDUM  
64TH LEGISLATURE

May 4, 2015

The Honorable Austin Knudsen  
Speaker of the House  
State Capitol  
Helena, MT 59601

Dear Speaker Knudsen:

On Monday, May 4, 2015, I signed and delivered the following bills to the Secretary of State's Office:

**House Bill 223** – C. Clark  
**House Bill 517** – J. Essmann  
**House Bill 577** – K. Holmlund  
**House Bill 590** – M. Cuffe  
**House Bill 604** – E. Greef  
**House Bill 617** – S. Lavin  
**House Bill 627** – R. Brodehl

I have vetoed **House Bill 496** – K. White and **House Bill 628** – R. Brodehl. These bills and veto messages have been delivered to the Secretary of State.

Sincerely,

STEVE BULLOCK  
Governor

May 5, 2015

The Honorable Austin Knudsen  
Speaker of the House  
State Capitol  
Helena, MT 59601

Dear Speaker Knudsen:

On Tuesday, May 5, 2015, I signed and delivered the following bills to the Secretary of State's Office:

**House Bill 9** – M. Cuffe  
**House Bill 28** – J. Eck

**House Bill 33** – R. Ehli  
**House Bill 34** – R. Ehli

HOUSE JOURNAL  
ADDENDUM  
64TH LEGISLATURE

**House Bill 114** – M. Miller  
**House Bill 115** – M. Funk  
**House Bill 150** – K. Flynn  
**House Bill 156** – M. Miller  
**House Bill 167** – J. Welborn  
**House Bill 204** – G. Hertz  
**House Bill 211** – K. Wagoner  
**House Bill 219** – J. Essmann  
**House Bill 226** – T. Richmond  
**House Bill 228** – T. Berry  
**House Bill 270** – T. Richmond  
**House Bill 300** – K. White

**House Bill 306** – J. Eck  
**House Bill 359** – E. Lieser  
**House Bill 403** – D. Hagstrom  
**House Bill 454** – S. Fitzpatrick  
**House Bill 463** – K. McCarthy  
**House Bill 464** – Z. Brown  
**House Bill 487** – D. Jones  
**House Bill 488** – K. Regier  
**House Bill 510** – A. Redfield  
**House Bill 559** – G. Kipp  
**House Bill 560** – G. Hertz

I have signed **House Bill 2** – N. Ballance into law with the exception of those items which I have line-item vetoed.

I have vetoed **House Bill 237** – A. Olszewski, **House Bill 423** – S. Staffanson and **House Bill 599** – L. Randall. These bills and veto messages have been delivered to the Secretary of State.

Sincerely,

STEVE BULLOCK  
Governor

May 6, 2015

The Honorable Austin Knudsen  
Speaker of the House  
State Capitol  
Helena, MT 59601

Dear Speaker Knudsen:

On Wednesday, May 6, 2015, I delivered **House Bill 629** - A. Redfield to the Secretary of State's Office without signature.

Sincerely,

STEVE BULLOCK  
Governor

HOUSE JOURNAL  
ADDENDUM  
64TH LEGISLATURE

May 8, 2015

The Honorable Austin Knudsen  
Speaker of the House  
State Capitol  
Helena, MT 59601

Dear Speaker Knudsen:

On Friday, May 8, 2015, I signed and delivered the following bills to the Secretary of State:

**House Bill 6** - M. Cuffe

**House Bill 8** - M. Cuffe

**House Bill 140** - J. Welborn

**House Bill 512** - D. Mortensen

I have signed **House Bill 10** - K. McCarthy into law with the exception of one item that I have line-item vetoed. This bill and line-item veto message have been delivered to the Secretary of State.

Sincerely,

STEVE BULLOCK  
Governor